EIGHT OFFICIAL LANGUAGES:

MEETING THE CHALLENGE

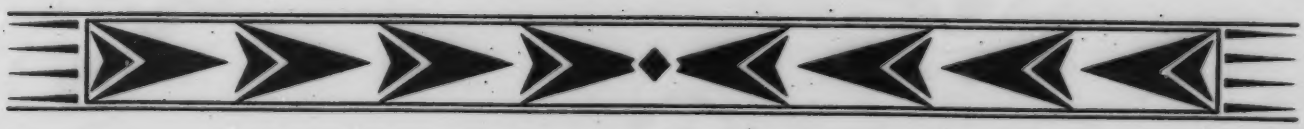
FIRST ANNUAL REPORT OF

THE LANGUAGES COMMISSIONER

OF THE NORTHWEST TERRITORIES

FOR THE YEAR 1992 - 1993

EXECUTIVE SUMMARY



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Report of the NWT Languages Commissioner, 1992-93: Executive Summary

This is the first annual report of the Northwest Territories Languages Commissioner to the Legislative Assembly.

The Northwest Territories is the only place in North America where Aboriginal languages have Official status and one of the few places where French has Official status in provincial or territorial institutions.

1. OVERVIEW OF LANGUAGES IN THE NWT

According to the 1991 Census, more than 5,000 people in the NWT do not speak or understand English or French. About six in ten people in the NWT are of Aboriginal origin. Four people in ten say their mother tongue, (i.e. the first language they learned in childhood and still understand) is an Official Language other than English. Three in ten most often use a language other than English at home.

But the shift towards English is pervasive in the NWT.

The illiteracy rate in English in the NWT is 44% for the total population over 15 years, 72% for Aboriginal people, and 7% for the non-Aboriginal population. These figures are based on Grade Nine or less as the indicator of illiteracy. But many people, especially Inuit, are literate in their own language.

More Inuktitut speakers were unilingual (26%) than any other group. Younger people were less likely to speak an Aboriginal language than older ones. Only 1% of non-Aboriginal people 15 or older speak an Aboriginal language.

Labour force surveys say that people who speak English only are more likely to be in the labour force and employed, than people who are bilingual in English and an Aboriginal language.

In the NWT, Cree and Gwich'in are classified as extremely endangered. Chipewyan is very endangered, and Slavey and Dogrib are somewhat endangered. Inuktitut is the only NWT Aboriginal language rated as having an excellent chance of survival. However, Cree in Canada as a whole is one of three Aboriginal languages considered most likely to survive after the end of the century.

About 2.5% of the NWT population claimed French as their mother tongue. French is still a minority language in the NWT and needs special care. There is a high rate of shift to English (56%).

2. LANGUAGE RIGHTS IN CANADA

There are a variety of legal sources of language rights, including the *United Nations Universal Declaration of Human Rights* and the *Convention on Civil and Political Rights*; the *Canadian Constitution* and the *Charter of Rights and Freedoms*; the federal *Official Languages Act*, the *Criminal Code* and provincial statutes. The NWT Languages Commissioner does not deal with rights stemming from these sources, unless they are adopted as NWT laws.

3. THE NWT OFFICIAL LANGUAGES ACT

In 1984, the NWT Legislative Assembly passed its own *Official Languages Act.*

The first funding agreement with the federal Secretary of State was signed in June 1984. Under that agreement, the federal government agreed to pay for specific French and Aboriginal Languages activities.

Equality does not mean treating everyone the same. Provisions in the *Official Languages Act* for English and French are different from those for Aboriginal Languages. The idea is to provide services where they are most needed.

It is not yet clear if the law gives rights to GNWT employees themselves, or if it applies to certain boards and agencies that deliver services on behalf of GNWT.

The GNWT did not announce the coming into effect of the section on services to the public at the end of 1992. There are no guidelines for employees to use in determining when and how Aboriginal Languages services should be made available. The section regarding services to the public in French has been in effect since 1990, but no guidelines exist there either.

GNWT is conducting a review of demand for services in Official Languages, and of the language capabilities of their employees. They plan to draft some guidelines when these studies are complete.

4. THE OFFICE OF THE LANGUAGES COMMISSIONER

The Languages Commissioner is appointed by vote of the Legislative Assembly for a term of four years. The first Languages Commissioner was appointed in December of 1991, and the office opened in February of 1992.

The Languages Commissioner is responsible for:

- promotion of Official Languages
- monitoring language services and programs in GNWT
- resolving complaints
- making recommendations to improve language services

The Languages Commissioner can conduct investigations, make recommendations, require action to be taken, report to the Assembly on problems, and appear in court to represent those who feel their rights have been denied.

The office has two full-time staff, the Languages Commissioner and an Executive Secretary /Administrative Assistant. The office made it a priority to resolve individual complaints and inquiries as soon as possible. Another priority was research.

The total budget was $262,000, and $273,904 was spent. Next year there will be one new position for a Researcher/Writer.

5. COMPLAINTS AND INQUIRIES

Complaints tell the government what needs to be improved in providing services. The Official Languages Commissioner handled about 250 complaints and inquiries between February, 1992 and March 31, 1993. The office now keeps track of all complaints and inquiries on computer.

The number of items raised by government employees shows that there is a lack of information even within the GNWT about the *Official Languages Act*.

The following types of complaints were received:

1. Lack of information on Secretary of State language agreements, including how to access funding.
2. Lack of information on the *Official Languages Act* and its implementation.
3. Lack of language courses and resources.
4. Poor communications with the public (signage, lack of staff speaking Official Languages, etc.).
5. Quality of and resources for interpretation/translation.
6. Equal rights for all languages.
7. Bilingual bonus.
8. Surveys about Official Languages.
9. Delays in translation of regulations.

6. SPECIAL STUDIES

The Languages Commissioner has the authority under the law to conduct special studies on her own.

In a survey of GNWT employees, a majority said they are interested in learning another Official Language or improving their language skills. Most said it was necessary or at least helpful in their job to know another language. About half said they could communicate in a language other than English.

About four out of ten people replying, said they used interpreters in their job. Interpreters are used mostly for Inuktitut, Slavey, French and Dogrib.

In a survey of GNWT policy sections, most departments indicated there were no guidelines or policies in their departments about Official Languages, or if there were, they were not aware of them.

Some were not aware that they could seek funding from the Secretary of State agreement.

Generally this survey indicated a lack of awareness about Official Languages and some confusion about how and why the GNWT is trying to implement the initiative. Attitudes ranged from willingness, to indifference.

Perhaps the most important study findings were those related to the *Secretary of State language funding agreements.* Results show large sums of unspent monies -- hundreds of thousands of dollars -- in each year of the agreements, despite constant complaints of a lack of resources. One reason for the lapsed funds is the federal government's delay in signing the agreements each year. But GNWT should also be reallocating funds to ensure they are spent.

Two *other studies* are still in progress: a survey of language services in non-governmental organizations; and a survey of community residents' awareness of and attitudes to Official Languages.

7. RECOMMENDATIONS

The following recommendations are based on complaints and inquiries and our studies of the 1992-93 activities of the institutions of the Legislative Assembly and GNWT. Since this report only covers the fiscal year ending March 1993, some actions may already have been taken since then to implement some of these recommendations.

The Languages Commissioner recommends the following actions:

1. That the Legislative Assembly establish a Standing Committee on Official Languages, or assign this responsibility to an existing committee, and that the Languages Commissioner and Official Languages Unit report regularly to this committee, and that the Annual Report of the Languages Commissioner be referred to this committee for review.

2. That the Legislative Assembly clarify the intended scope of the Languages Commissioner's authority to obtain documents and information from institutions of the Legislative Assembly and GNWT for the purpose of investigations.

3. That the Legislative Assembly clarify whether or not the Languages Commissioner should deal with complaints from employees about Official Languages policies, services and programs, and, if not, that the Legislative Assembly provide direction to GNWT as to how these complaints should be handled without the employees having fear of reprisal.

4. That the Legislative Assembly clarify whether or not the *Official Languages Act* is intended to allow employees to use any Official Language as a language of work, and that GNWT determine how many employees do not speak English or prefer to communicate in a language other than English, and that they develop policies required to accommodate employees who do not speak English.

5. That the Legislative Assembly consider the current GNWT practice of requiring boards, agencies and other institutions to report to the Languages Commissioner through the Deputy Minister responsible, and determine whether or not this is appropriate in all circumstances.

6. That the Legislative Assembly consider whether or not any provision should be made in the *Official Languages Act* for the travelling public, (i.e. people travelling outside the region where their language is spoken) and, if so, what provisions should be made.

7. That the Legislative Assembly clarify whether or not it was intended that obligations under the *Official Languages Act* should apply to groups and bodies providing a service or program to the public on behalf of GNWT or one of its institutions.

8. That GNWT clearly identify to which institutions of the GNWT and Legislative Assembly the *Official Languages Act* applies, and ensure that all of these institutions and the public are made aware of their obligations.

9. That GNWT determine all other Acts and Regulations, besides the *Official Languages Act*, relating to the status and use of Official Languages, and that they monitor any activities related to this legislation.

10. That GNWT, without delay, in consultation with the public, the Languages Commissioner and all departments and institutions, establish operational guidelines for the implementation of the *Official Languages Act*, especially for Section 14, and determine a process and timeframe for the drafting of policies and regulations for this Act. (This includes identifying existing guidelines that are in use, and collecting them into a public document along with new guidelines, policies and regulations.)

11. That GNWT prepare and distribute, to employees and the public, information on the *Official Languages Act*, Official Languages initiatives and the Secretary of State funding agreements.

12. That GNWT more closely monitor the Secretary of State funding agreements to ensure that money allocated is spent and that excess funds are re-allocated early enough in the year to allow other projects to take advantage of these available funds.

13. That GNWT give clear direction to all departments and institutions about how to apply for funding under the Secretary of State agreements, and that they assist them in developing proposals that meet the required criteria.

14. That GNWT advise the public immediately of the coming into effect of new Sections of the *Official Languages Act* or of any Act or Regulation relating to the status and use of Official Languages, or any guidelines or policies related to their implementation.

15. That GNWT adopt a policy of "active offer" for the provision of language services by clearly identifying, through signs, pins/buttons, and public announcements, offices where services are available in languages other than English, as required by Section 14 of the *Official Languages Act*.

16. That GNWT develop a policy on the provision of interpreter/translator services to all departments and institutions, so that all employees know how to make services to the public available in all offices at all times, either through employees of GNWT or through freelance I/T's, as required by Section 14 of the *Official Languages Act*. (This will require clearly identifying which office(s) will be responsible for maintaining and distributing information about freelance interpreter/translators who can be called when GNWT staff are not available, procedures and terms to be used in contracting for I/T services, reviewing and equalizing rates of pay for I/T's for all languages, and so on.)

17. That GNWT consider whether or not it is necessary to provide full simultaneous interpretation in the Legislative Assembly at all times and in all Official Languages, as currently available, or whether service in some languages can be made available on demand, with reasonable notice. (This decision will have to be made in consultation with MLA's. This is based upon many comments that the current interpreter/translator services in the Legislative Assembly do not make the best use of human resources and that interpreters are not available for other urgent assignments when needed.)

18. That GNWT avoid all delays in filling positions responsible for the delivery of Official Languages programs and services required under the *Official Languages Act*, and that if some delay is unavoidable, that an interim arrangement be made with the department or institution responsible, to ensure that the required language services are available at all times.

19. That GNWT clarify to departments, institutions and the public, which documents, forms, and other communications, including "instruments in writing directed to or intended for the notice of the public" as per Section 11 of the *Official Languages Act*, must be translated and into which Official Languages, and in what format (oral, audio-visual or written).

20. That a policy be developed on communicating information to the public using the media most appropriate for each Official Language group.

21. That GNWT consider setting up a 1-800 line for each Official Language, similar to the one existing for French, so that people can contact the GNWT or its institutions at any time using their Official Language.

22. That GNWT, in consultation with employees, the Unions representing employees, and the Languages Commissioner, reconsider their current policies of Bilingual Bonus and Language Allowance, and especially their plans for language fluency testing, to see if this funding would be better utilized instead for language training programs. (People already receiving the bonus could be offered courses in upgrading their fluency or literacy skills, or be taught how to teach language courses, or be involved as instructors.)

23. That GNWT ensure that all managers and employees are aware of the eligibility criteria for bilingual bonus, and ensure that all eligible employees are collecting it.

24. That GNWT ensure that more individuals who are unilingual in an Official Language other than English, or who are bilingual, are employed in the public service. This should be done by adding a language criterion to the Affirmative Action Policy (since these groups have been "traditionally disadvantaged" in employment), or by providing for hiring preference for these people in more jobs.

25. That GNWT determine what materials are available for adult literacy and fluency training for all Official Languages and that they collect and further develop these materials and make them readily available.

26. That GNWT establish more training programs for employees and members of the public who want to learn or teach Official Languages.

27. That GNWT continue to inform the public and its employees of the standardized writing systems for native languages, that they support further research in this area, and that support be developed through non-government bodies for the standardization initiative.

28. That GNWT research and document Dene syllabics for historical purposes and for use in translation for elders when it is specifically requested by them.

29. That GNWT conduct a thorough study of literacy and fluency for all Official Languages in the NWT.

30. That GNWT assist non-government organizations and groups, whenever possible, with developing and delivering services and programs to the public in Official Languages, both by assisting them with planning, interpreting/ translating or other such services, and by ensuring that all available funding is allocated for such community projects. (Examples: phone companies, airlines, drug stores, small businesses, etc.)

Response to Recommendations - Follow Up

The Languages Commissioner requests that a response to the recommendations be received from GNWT before March 31st, 1994, so that the Annual Report for 1993-94 can take this response into consideration.

8. THE FUTURE

The Languages Commissioner plans to continue her mandated activities next year. There will be new initiatives in providing public information, and the establishment of an advisory council.

EIGHT OFFICIAL LANGUAGES:

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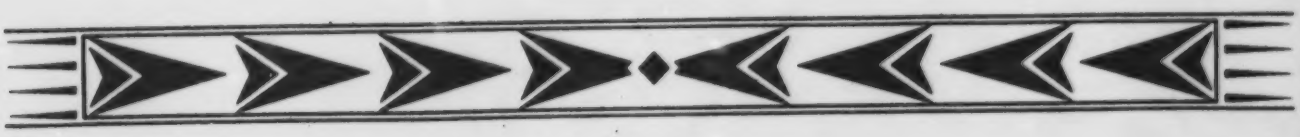
THE LANGUAGES COMMISSIONER
OF THE NORTHWEST TERRITORIES
FOR THE YEAR 1992 - 1993

SUMMARY

********** REVISED TABLES XII - XVII **********

ARE ATTACHED (Pg. 44 - 49)



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0. PREFACE

The 1984 NWT Official Languages Act declared French and English "official languages" and seven aboriginal languages "official aboriginal languages."

The Act was amended in 1990 to give equal "Official" status to English, French, Cree, Chipewyan, Dogrib, Gwich'in, Slavey (North and South) and Inuktitut (including Inuvialuktun and Inuinnaqtun). It also created the position of Languages Commissioner, or a linguistic ombudsman.

The NWT is the only place in North America where Aboriginal Languages have Official status - and one of the few places where French has Official status in provincial/territorial institutions.

People have some misunderstanding about Official Languages. Some people think:

- government is forcing people to learn other languages;
- private businesses and municipal governments have to provide language services;
- everything has to be translated into eight languages;
- there are no writing systems for native languages;
- the Languages Commissioner can deal with every language problem.

None of these are true.

1. OVERVIEW OF LANGUAGES IN THE NWT

A: Languages in the NWT

There are three Aboriginal Language families in the NWT: Eskimo-Aleut (Inuktitut, Inuinnaqtun, Inuvialuktun): Athapaskan (Chipewyan, Dogrib, North and South Slavey, Gwich'in); and Algonquian (Cree). Numerous other languages and language families are represented, such as Indo-European (English, French) and others.

All of the languages named above are Official. Therefore, although there are eight Official Languages, when translations are done or signs made in all the Official Languages, eleven different versions are required.

B: Language Preservation

More than 5,000 languages have existed in the world, but 90% are expected to be extinct or endangered in the next century.

The Aboriginal Languages of the NWT are not well documented in writing. People who speak the languages are the last source of information on them.

Why preserve these languages? The disappearance of a language is similar to the disappearance of a biological species. It involves loss of historical information and fewer ways of viewing the world. It may make people less confident about their cultural identity , and may lead to social problems. Sometimes people grow up "semilingual," i.e. not being able to speak any one language well.

Languages may survive in conditions of cultural conflict if they are seen as symbols of common identity, or a means of private communication.

In order to preserve languages, detailed information is needed and commitment is required, along with the support of people who do not speak the language. Legislated language rights are a strong basis for preservation, but much work must still be done by speakers.

1991 Census: 62% of NWT population is of aboriginal origin; 8.7%, or 5,005 people, do not speak or understand English or French; 40.6% said their mother tongue is an Official Language other than English; 30.1% said they use an Official Language other than English as a home language.

Support is there - now commitment is needed.

C. Measuring the Health of Languages

Language change is healthy; but change which is too quick, or heavy borrowing, shows vulnerability.

There is no common language or dialect among NWT Aboriginal people.

Most studies do not distinguish between dialects, as opposed to languages. A lot of work still needs to be done to document dialects and sub-dialects accurately, taking into account what Native people themselves think about dialect differences.

How do we measure the health of a language? We look at things like the following:

Numbers: Looking at the number of people who speak a language does not say much about how healthy specific dialects are. For example, Inuktitut is spoken by many people, but the western dialects of Inuktitut are spoken by very few people.

Some languages with few speakers in the NWT have many speakers elsewhere. There are few Cree speakers in the NWT, but it is one of the strongest Native languages in Canada.

Proximity of speakers to each other: people living outside of a community where their language is used frequently are confronted by pressure to adopt the language of the majority.

Prestige: If people see English as the language of power, they are more likely to want to use it as their main language. People need to see successful role models using their language. Job opportunities must be created for people who speak languages other than English.

What are the goals of our language initiatives? We need more research to determine the effect of language initiatives in the NWT. So far, it looks like English is undermining people's skills in other languages.

There are still many weaknesses in the data. More detailed studies are being conducted.

D: State of Official Languages in the NWT

i) Mother Tongue

Mother tongue: the first language learned as a child and still understood.

In the NWT there are many people who understand a language but rarely speak it. This is one of the last stages of language loss.

The percentage of people claiming each Official Language as their mother tongue has not changed much from 1986 to 1991.

English was learned as a mother tongue by over 50%, Inuktitut by over 25% and the Dene languages, Cree and French by very small percentages. For example, only one percent of the NWT population, about 555 people, identified Chipewyan as their mother tongue in 1991.

The Dene languages, Cree and French may be facing difficulty in the NWT because of the small number of children learning them as a mother tongue here.

French and Cree benefit from large populations elsewhere.

The percentage of people claiming more than one mother tongue has decreased considerably for all languages between 1986 and 1991.

Fewer children are growing up in homes where two or more languages are being taught equally.

ii) Home Language

Home language: language spoken most often in the home.

Percentage of people using English most often in their homes has increased since 1986. The percentage of people using Inuktitut most often went up slightly, and the percentage of those using French has not changed. The percentage for all Dene languages and Cree had decreased.

The percentage of homes in which two or more languages are used with the same frequency has decreased from 1986 to 1991.

In 1991, although 54.4% claimed English as a mother tongue, English is used most frequently at home by 64.7%.

For all other languages, the numbers for home language are less than those for mother tongue.

The percentage of people using a Native language as a home language has decreased from 1986 to 1991, except for Inuktitut.

iii) Language Shift

Language shift is measured by comparing the number of people who use a language at home to the number who learned it as a mother tongue.

The shift towards English is pervasive in the NWT.

The rate of shift towards English is extremely high for Gwich'in (73% in 1986 and 92% in 1991), and Cree (81% in 1986 and 90% in 1991). Dogrib has a lower rate of shift in both years than any of the other Dene languages (20% and 23%). Inuktitut has the lowest rate of shift of any of the Aboriginal languages (16% and 18%).

Those who reported French as a mother tongue in 1991 are switching to English at a higher rate (56%) than those who reported Slavey (44%), Dogrib or Inuktitut. The shift for Chipewyan increased from 44% in 1986 to 59% in 1991.

The shift was happening faster in 1991 than in 1986, for all languages except French. The shift is happening for Gwich'in faster than for any other (identified) group.

iv) Ability to Converse

The 1991 Census asked which languages people speak well enough to carry on a basic conversation. The numbers exceed the numbers of people reporting each language as a mother tongue. This shows that people have made some effort to learn the languages later in life.

The number of people who have learned English is much higher than for any other language.

But more than 5,000 (nearly 10% of the NWT population) report not being able to speak either English or French well enough to carry on a basic conversation.

What data exists on sub-groups shows that many fewer people speak Inuvialuktun or Inuinnaqtun than Inuktitut. And the numbers for North and South Slavey, considered separately, are less than those for Dogrib.

v) Literacy

Literacy skills include the ability to read and write. No thorough study of literacy exists for the NWT. This research should be done.

The illiteracy rate in English in the NWT is 44% for the total population over 15 years, 72% for Aboriginal people, and 7% for the non-Aboriginal population, based on Grade 9 or less as the indicator of illiteracy.

But the reverse picture appears when we consider how many Aboriginal people read and write their own languages; 49% over 15 said they could read an Aboriginal language, and 44% could write.

The literacy rates are much higher in their own language for Inuit than for Dene, Metis or Cree.

The NWT Aboriginal languages are written in syllabics and/or the Roman (a, b, c, ...) system.

vi) Labour Force Participation

Labour force survey showed that in 1989, 83% of NWT Native people aged 15 and over spoke English well enough to hold a basic conversation, 59% speak an Aboriginal language and English, 24% English only, 16% speak an Aboriginal language only.

More Inuktitut speakers were unilingual (26%) than any other group.

Younger people were less likely to speak an Aboriginal language than other ones.

Only 1% of non-Aboriginal people 15 or older speak an Aboriginal language.

Only 32% of unilingual Aboriginal people are in the labour force; 58% of those who speak an Aboriginal language and English are in the labour force, and 66% of those who speak English only.

61% of the labour force who speak only an Aboriginal language are employed, 69% who speak an Aboriginal language and English, and 74% of those who speak only English.

These figures confirm what many parents have said for years - that if their children learn English, they have the best chance of finding a job.

This situation can be changed in two ways: change the language requirements for jobs, or change the language skills of the labour force. In the NWT, it seems more appropriate to change the job requirements, so more people can use a language other than English on the job, and provide better service to the public.

vii) Canada-NWT Comparison

a) Speakers

In Canada, 36% of those claiming an Aboriginal identity in 1991 spoke an Aboriginal language. In the NWT, 74% did.

Fewer younger people, aged 5-14 speak an Aboriginal language than the older group: the Canadian average is 21%, in the NWT it's 61%.

Inuit speak their language more than Dene or Metis. Metis have the lowest percentage of native language speakers. NWT rates are higher than for Canada: 70% of Indians* in the NWT speak a native language, and only 38% of Indians in Canada do; 86% of Inuit in NWT speak their language; in Canada, 75% do; and 25% of NWT Metis speak a Native language, versus only 17% in Canada. (*In the NWT, Indians is used to mean Dene and Cree).

These rates are much lower for those aged 5-14. There, the figures for the NWT start looking like those for Canadian Aboriginal adults.

b) Teachers

More young Aboriginal people (73%) are learning their language from teachers than Aboriginal adults did (32%). Elders and grandparents played a more significant role elsewhere in Canada than in the NWT, but very large percentages of both old (93%) and young (94%) report having learned their language from their parents.

c) Non-speakers and Interest in Re-learning

24% of Indians, 10% of Inuit and 64% of Metis over 15 in the NWT report never having spoken an Aboriginal Language. This compares to 52% of Indians, 21% of Inuit and 74% of Metis over 15 in Canada.

76% of Indians, 78% of Inuit and 75% of Metis in the NWT in this category would like to learn an Aboriginal Language. These figures are comparable to Canada.

5% of Indians, 4% of Inuit and 10% of Metis over 15 in the NWT no longer speak an Aboriginal Language they once learned; 90% of these people would like to relearn their Language.

This indicates the need for Aboriginal Language programs for adults - an area not sufficiently addressed in the NWT.

d) Writing

44% of Aboriginal people in the NWT report being able to write an Aboriginal language, versus 9% in Canada. These figures reflect the high proportion of Inuit in the NWT, and their higher literacy rate than other Aboriginal groups.

e) Teachers of Writing

In general, parents (62%) and school-teachers (53%) played the largest role in teaching writing for those over 15 in the NWT.

f) Reading

49% of NWT Aboriginal people over 15 reported being able to read an Aboriginal language, versus only 13% in Canada.

g) Teachers of Reading

Again, parents (65%) and teachers (51%) played the biggest role in teaching people over 15 to read in Aboriginal languages. The role of grandparents and elders is greater in the rest of Canada.

h) Trends

Given the current trends, the majority of North American Aboriginal Languages will disappear within a few decades. In 1951, 87.4% of Native people claimed an Aboriginal language as their mother tongue; in 1981, this proportion was only 29.3%; in 1991, it looks like it is 19.8%.

In the NWT, Gwich'in is classified as extremely endangered, according to home language figures from the 1991 Census. Chipewyan is very endangered, Slavey and Dogrib are somewhat endangered. Inuktitut is the only NWT Aboriginal language rated as having an excellent chance of survival. Althoguh Cree is rated as extremely endangered in the NWT, in Canada it is one of the three Aboriginal languages most likely to survive the end of the century.

It is not true that learning a Native Language in school will interfere with children's progress in learning English or French. What most people want is to be able to use their language in their own regions, and to receive government services where numbers warrant.

viii) French

a) Distribution of Francophones in NWT

2.5% of the NWT population claimed French as their mother tongue. Almost 75% of the Francophones in the NWT live in four communities - Yellowknife, Iqaluit, Hay River and Fort Smith. The others are widely dispersed. Some speakers of French in the NWT are more isolated from their language community than speakers of Aboriginal Languages.

b) Trends

Children of mixed French-English families learn the mother's language more often. The language of the majority population of the region where people live affects which language will become the children's first language.

French is still a minority language in the NWT and needs special care. There is a high rate of assimilation (56%). One of the priorities of the Fédération Franco-TéNOise is to rebuild fluency and literacy skills and cultural awareness among the Francophone population.

E: Attitudes About Official Languages

People expressed a range of opinions about Official Languages in surveys, letters and conversations.

Some think Official Languages programs are a waste of taxpayers' money. They think it would be better to teach everyone English. If Aboriginal Languages are to be preserved it should be done in the home.

Some people were also against the use of French in the NWT. Some of these people thought priority should be given to Aboriginal Languages.

Others said the government has to do more work if the legislated language rights are to be respected. Some said government services should be available first in the Aboriginal Language of a region.

Both Aboriginal and non-Aboriginal people wanted the opportunity to learn Aboriginal languages. Some felt it was the best way to build understanding of other cultures.

CHAPTER 2: LANGUAGE RIGHTS IN CANADA

A: Sources of Language Rights

International: Universal Declaration of Human Rights provides that all persons are entitled to human rights without discrimination on the basis of language. UN Convention on Civil and Political Rights says linguistic minorities cannot be denied the use of their own languages.

National Constitutional: The Constitution Act provides for the use of English and French in the House of Commons and Senate, and in the Quebec Legislature, requires both languages to be used in the records of these bodies and guarantees equal status for both in Quebec and federal courts. It contains guarantees of minority language education in English and French.

The Charter of Rights and Freedoms gives English and French equal status in all federal government institutions and imposes an obligation to provide bilingual services under certain conditions. It also guarantees all parties in court proceedings the help of an interpreter, no matter what language they speak.

Statutory: The Federal Official Languages Act 1969 (revised in 1988) made English and French the Official Languages of Canada. It is designed to make the federal public service equally accessible to French and English speakers, provides for bilingual services to the public, and the use of English or French as the language of work by federal employees. New regulations mean services to the public in NWT federal government offices must be available in Yellowknife and Iqaluit as of December, 1993.

The Criminal Code provides for the right to a lawyer and the right to be informed of any charge being laid, in a language the accused understands. An accused has the right to be tried in English or French.

Provincial statutory: New Brunswick has their own Official Languages Act. In Quebec, French is the Official Language of the province. Yukon has a Languages Act but does not grant Official status.

The NWT Languages Commissioner cannot deal with most matters that related to language rights flowing from any of the above pieces of legislation. There are other avenues of help in that case.

B: The Birth of the NWT Official Languages Act

In 1984, the federal government proposed an amendment to the NWT Act, a federal law that serves as the constitution of the Northwest Territories, that would make English and French Official Languages of the NWT.

Instead, the NWT Legislative Assembly passed its own Official Languages Act, making English and French Official Languages, but also designating seven "official aboriginal languages."

The NWT Act contains a provision that prevents the NWT from changing its own Official Languages Act to eliminate or diminish services and programs without the consent of the federal government.

In 1989 , the Legislative Assembly set up the Special Committee on Aboriginal Languages. In the April 1990 response to the Special Committee's recommendations, the Official Languages Act was amended to give Official Language status to Aboriginal Languages. It also created the Office of the Languages Commissioner. The first Languages Commissioner was appointed December, 1991, and the office opened February, 1992.

C: Language Services Before the Official Languages Act (1984)

The Interpreter Corps was established in the early 1970s to provide interpretation and translation services for the GNWT and the courts as required. It soon became essential in the Legislative Assembly, as more Inuit unilingual members were elected to the House. No unilingual Dene language or French speaker has ever been elected, so Dene and French language services to the Assembly were added only after 1984.

Committees such as the Dene Languages Steering Committee provided advice to the GNWT during the 1980s. The GNWT provided for the development and use of Aboriginal Languages through such funds as the Indigenous Language Development Fund.

Around 1970, schools started offering courses in Aboriginal Languages. French started in the mid-70s due to the signing of the first agreement with the federal government. In these agreements, the federal government agreed to pay the additional costs the GNWT incurs in providing French first language education and French second language instruction.

The Education Act was amended in 1976 to give local education committees the authority to choose the language of instruction from kindergarten to grade 3.

D: Language Services Since 1984

The first funding agreement with the federal government (Secretary of State) was signed in June 1984, in which the federal government agreed to pay for specific French and Aboriginal Languages activities.

Special studies were done in 1986-87 and 1988 on the implementation of French as an Official Language.

For Aboriginal Languages, this first agreement provided $16 million over five years (1984-1989). The agreement was extended to March, 1991. A Task Force on Aboriginal Languages was struck in 1985 to

consult with communities about services in Aboriginal Languages. They presented their report to the Assembly in 1986.

In the 1986 GNWT response to the Task Force report, the department of Culture and Communications was given the task of coordinating Official Languages activities and administering the federal-territorial agreements. This created some problems, because some departments did not feel obliged to respond to another department when information was requested or direction given. This situation seems to have been solved in 1993, when the Official Languages Unit was created in the department of Executive.

In 1991, another agreement with the Secretary of State provided funding for both French and Aboriginal Languages. It provided $18 million for Aboriginal Languages over three years and $12.8 for French.

A variety of positions have been created with responsibility for Official Languages - policy officers, directors, advisors. Language coordinators for each department were designated in 1986, but this is not their main duty.

The GNWT has not developed regulations or guidelines on the implementation of Official Languages. The only policies appear to be the sign policy and the bilingual bonus policy ($1200 extra for employees who use more than one Official Language in addition to their job duties).

CHAPTER THREE: THE NWT OFFICIAL LANGUAGES ACT

A: French and English Versions of the Act

The Languages Commissioner feels there are differences in meaning between the French and English versions of the Act, which will require changes to the wording of the Act. Minor changes will be brought forward soon. Others are being researched.

B: Preamble

The preamble to the Act partly determines it spirit and intent. In this case, it says the government is committed to the preservation, development and enhancement of Aboriginal Languages and that French, English and Aboriginal Languages have equal status. Some complaints this year have more to do with spirit and intent than with any specific provision of the Act.

C: Equality

Equality does not mean treating everyone the same. Provisions for English and French in the Act are different from those for Aboriginal Languages.

For example, the Act requires that all legislation be available in English and French, while for Aboriginal Languages, they need only be translated on the recommendation of the Executive Council and Commissioner. Why? One example: very few people read and write the Dene languages, and translating laws would probably take up all the time of Dene translators leaving more urgent work undone.

The law provides that services should be available in French from central or head offices of GNWT, while Aboriginal Language services should be available from regional, area and community offices. This is to provide services where they are most needed.

This explains why there is a difference in funding for French and Aboriginal Languages. There are great differences in the services and programs required under the Act for the different languages.

Some of the money for French is given to the GNWT to meet obligations that do not derive from the NWT Official Languages Act. For example, money for French language education is given to the NWT to meet its obligation under the Charter of Rights and Freedoms. (See Tables I to III).

The GNWT also spends some money of its own on languages. We do not have complete figures, so it is impossible to compare how much was actually spent on each language.

D: Equal Rights and Privileges

The interpretation of language rights and privileges is a difficult task. A right is something a person can do, or that a person can force someone to do for them. For example the right to use any Official Language in a court proceeding means the GNWT has the obligation to make services available to allow people to exercise this right. A privilege is something a person can do as long as the person with authority allows them to do it - for example, allowing a person to choose their own interpreter when they have a right to interpretation.

E: Language of Work

The NWT Official Languages Act does not contain specific provisions relating to the use of Official Languages by GNWT employees as their language of work. The Legislative Assembly could amend the Act to provide for this, if they wish.

The GNWT could not provide information on the exact number of employees who do not speak English. It may be over 100 people.

If the Assembly does not amend the Act to allow employees their choice of Official Language as a language of work, there should be some provision in policy or the collective agreement for GNWT employees who do not speak English.

F: Institutions

A list should be made of institutions to which the Act applies, probably by way of regulation. It is not yet clear if the Act applies to certain agencies, boards, tribunals and other bodies.

Another issue is how these boards should report to the Languages Commissioner. They currently report through the Deputy Minister of the department in charge, but a more autonomous arrangement may be desirable.

Another question is what Official Languages obligation do non-government bodies have when they deliver a service or program on behalf of GNWT? The Act is silent.

G: Instruments in Writing

The definition of which written notices need to be published in which Official Languages, and using what media, is unclear. Regulations or guidelines are needed to cover this.

H: Courts

The provisions in the Act for the use of French and English in the courts are different from those for Aboriginal Languages.

The law says that any of the NWT Official Languages can be used in any court, but there are still many questions about how this should be implemented.

Simultaneous interpretation can also be made available if the judge decides the proceedings are of sufficient public interest. There are rules and guidelines for the use of interpreters, but some questions still remain. Judges could establish some guidelines.

Judgments have to be issued in both English and French if they are important, or if both languages were used in the proceedings without an interpreter. The latter case is rare in the NWT.

Another section of the law, which comes into effect on December 31, 1993, says final decisions have to be available on tape in at least one of the Aboriginal Languages, and must be made available to any person if they make a reasonable request. Some policy decisions are required to implement this.

I: Service to the Public

The GNWT did not announce the coming into effect of the section on services to the public in Aboriginal Languages at the end of 1992. There are no guidelines for employees to use in determining when and how Official Languages services should be made available.

The section regarding services to the public in French has been in effect since 1990, but no guidelines exist there either.

Definitions of "significant demand" and "the nature of the office" are needed, and a list of which offices are head, central, regional, area and community offices.

The sign policy provides some guidance about the languages in which services should be available in each community.

The Languages Commissioner thinks all Official Languages should be used on signs in Yellowknife, but GNWT continues to use only some of the languages on signs in Yellowknife, except at the Laing Building.

Another issue is services to the travelling public in GNWT-operated airports for people who come in regularly from other regions.

GNWT is conducting a review of demand for services in Official Languages, and of the language capabilities of their employees, and will then develop guidelines.

J: Language Commissioner's Authority

The organizations the Commissioner should meet with ought to be clarified. An Advisory Council is being considered.

The Commissioner's authority to obtain documents for investigation purposes needs to be clarified.

Legislation is being reviewed to determine which other NWT laws besides the Official Languages Act relate to the status and use of Official Languages.

K: Regulations

The NWT Official Languages Act makes reference to regulations in several places. But no regulations have so far been enacted.

The GNWT has been reluctant to make regulations because it has been suggested that any changes to the Act be made by amendment, and not left to regulation or policy. Regulations can sometimes be troublesome, restricting rather than enhancing rights, if they are not well thought out.

The GNWT could develop internal operational guidelines but these are usually unknown to the public, and there is no way to force the government to adhere to them in any case. Policy is somewhat stronger, but few policies on Official Languages currently exist.

The public and major organizations should be consulted during the development of the regulations, policies or guidelines.

The Languages Commissioner will draft guidelines for use in trying to determine if a complaint is reasonable, if GNWT does not do this soon.

CHAPTER FOUR: THE OFFICE OF THE LANGUAGES COMMISSIONER

A: Mandate

The Languages Commissioner is appointed by vote of the Legislative Assembly for a term of four years. The first Languages Commissioner was appointed in December of 1991, and the office opened in February of 1992.

The Languages Commissioner is responsible for:

- promotion of Official Languages;
- monitoring language services and programs in GNWT;
- resolving complaints;
- making recommendations to improve language services or to change the Official Languages Act.

The Languages Commissioner can conduct investigations, make recommendations, require action to be taken, report to the Assembly on problems, and appear in court to represent those who feel their rights have been denied.

B: Operation of the Office

i) Approach

Each request for information or complaint has been examined to see if it is within the power of the Languages Commissioner.

The Languages Commissioner has taken a broad interpretation of matters related to her jurisdiction.

If the issue was found to be outside the Languages Commissioner's power, the person was referred elsewhere.

The volume of work is increasing rapidly.

The office is prepared to make information available whenever it is requested in any Official Language.

Employees at all levels need more information about the Official Languages Act, in order to implement programs and services, and they need time to become accustomed to the Languages Commissioner's role.

ii) Staff

The office had two full-time staff, the Languages Commissioner and an Executive Secretary/Administrative Assistant.

The office has hired four casual researchers and two casual clerks for special studies. It used seven contractors to do research, translations and develop a publicity package, to develop a data bank for survey results and provide legal counsel.

Numerous individuals were hired to do surveys of community residents.

Most staff so far could speak an Official Language other than English.

iii) Objectives and Accomplishments

In 1992-93, the office was set up and a basic philosophy established. The office made it a priority to resolve individual complaints and inquiries as soon as possible, and not make people wait until major issues are resolved before they get an answer to their own problems. Another priority was research.

Other objectives included:

1. Defining the role of the Languages Commissioner. After consultation, the role was determined to be a linguistic ombudsman. The role involves mediating informal resolutions to complaints. The Languages Commissioner monitors the GNWT's actions towards the same goals, and is therefore a "rival ally."

2. Prepare job descriptions.

3. Establish guidelines for dealing with GNWT.

4. Establish procedures for dealing with complaints.

5. Establish the identity of the office.

6. Gather information from GNWT employees and the public. See Chapter 6.

7. Gather information about GNWT policies and guidelines on Official Languages. See Chapter 6.

8. Gather information on existing programs and services in non-governmental groups. GNWT is doing its own survey of its services.

9. Gather information on needs. This was done through community visits and meetings.

10. Research Advisory Council. The question arises of whether a new body is necessary.

11. Obtain legal opinions and relevant court decisions. A list of proposed changes to the Act was given to the Department of Justice and we are awaiting a reply.

12. Encourage GNWT to begin working on regulations and guidelines. This is now an Executive responsibility.

13. Research documents relating to Official Languages, e.g. the Canada-NWT Agreements, activity and financial reports, statistics, etc.

14. Respond to complaints and inquiries; 187 files were opened this year. Some relate to several issues, so the total number of complaints is over 250. Many files are still active, some have required months of work.

15. Major investigations and court challenges, e.g. a major investigation into the language services in one region. The Languages Commissioner was asked to appear in court, and decided not to after much research. If she did, it could cost more than is now in the budget for legal fees.

16. Encourage non-GNWT organizations to use Official Languages. These organizations are not obliged to provide services by law, but many are interested in doing so, e.g. Canadian North.

17. Research sources of funding for projects. An information package was prepared and distributed.

All administrative objectives were met - i.e. getting a logo, writing job descriptions, setting up the office, etc. A lot was accomplished with regard to the other objectives, but much of this work is on-going.

Iv) Budget 1992-93 (See Table IV).

The total budgeted was $262,000, and $273,904 was spent. Expenditures for casual wages went over budget because the secretary's position was filled by casuals until August, 1992, but the salary dollars were underspent, so they balanced each other. Summer students were hired to do research required for basic information. Much of the information available to GNWT departments is not available to the Languages Commissioner.

Some minor costs were incurred because we shared office space and/or equipment with the Special Committee on Health and Social Services and the Plebiscite Office. Not all these costs were reimbursed. More money was spent on contracts than anticipated because of the need for legal opinions.

Next year there will be one new position for a Researcher/Writer.

If there are many more complaints requiring legal advice, these costs could escalate.

CHAPTER FIVE: COMPLAINTS AND INQUIRIES

A: Complaints Process

Complaints are useful. They tell the government what needs to be improved in providing services.

The NWT Languages Commissioner handled about 250 complaints and inquiries between February, 1992 and March 31, 1993.

The Language Commissioner sometimes gave people the information or materials they requested. But it is often not really the job of the Languages Commissioner to do this.

From now on, most requests will be sent to departments, and if they cannot give people the materials they want, the request will be reported as a complaint.

Complaints are more serious than simple requests for information.

They usually involve the possibility that the law on Official Languages has been broken, or they might involve another act or regulation.

We look into all complaints very carefully. Sometimes we find that the complaint does not have a solid basis in fact. Sometimes a complaint is not within the Language Commissioner's area of responsibility.

Each complaint file is reviewed carefully until it is resolved, referred or dismissed. We now keep track on computer of all the complaints and inquiries we get.

In other parts of the country, it is not unusual for a complaint to take several months or even years to be resolved. We have tried to speed things up, but some departments have taken as long as eight months to reply to us. In two cases, we have spent more than one year gathering information and the complaints are outstanding.

When we get a complaint, we write to the deputy minister and send a copy to the Official Languages Unit of the Executive. The Official Languages Unit coordinates the government's response to questions, and tries to make sure answers are accurate and complete. So far, this process seems to be working well.

B: Complaints from Government Employees

Complaints and inquiries were made by both the public and by government employees. The number of items raised by government employees shows that there is a lack of information even within the GNWT about the Official Languages Act. The GNWT feels we shouldn't deal with their complaints. But some employees simply do not know who to go to with their concerns. The Languages Commissioner can help direct them.

Employees are reluctant to bring complaints to the attention of their department for fear of reprisal. Others had already tried their department, and had not received a satisfactory response.

The Legislative Assembly should provide direction to the Languages Commissioner on whether or not to deal with complaints from employees. If it is decided that she should not, some mechanism to deal with these complaints should be set up in GNWT. Until then, the Languages Commissioner feels obliged to deal with them.

When the public complains about the government, it is often the front line employees who are blamed. In reality it is sometimes the people in more senior positions who are responsible. Our survey of government employees showed that some people in senior positions do not support Official Languages initiatives. (See Chapter 6).

Better statistics on complaints will be available next year.

C. Types of Complaints Received

The following types of complaints were received:

1. Lack of information on Secretary of State language agreements, including how to access funding.

The Languages Commissioner provided some of this information herself. (See Tables, excluding Table IV, at the end of this summary.)

2. Lack of information on the Official Languages Act and its implementation.

Where are the guidelines for departments? Where is the information for the public, the press releases, brochures, tapes for radio, TV? Numerous complaints of this type were received.

For instance, GNWT never issued a press release about Section 14(2) coming into effect regarding service to the public in Aboriginal Languages.

The Languages Commissioner prepared a brochure on the Act and GNWT has agreed to rewrite and translate it.

3. Lack of language courses and resources.

There were numerous complaints that there is no language training available for Official Languages, except for occasional courses offered by Arctic College. The Languages Commissioner supplied some people with tapes and books, and told GNWT about people who could teach courses.

People also complained that tuition was too high and employers were not willing to allow them the time off to take language training. Some courses were cancelled because of this.

Several complaints were received about one campus of Arctic College getting more resources than the other to deliver the same programs, The College said they didn't have the money to increase funding. The Languages Commissioner found that the college had not spent all of the Secretary of State funding they received.

There were many complaints that the delays in signing the Secretary of State agreements caused problems in administering programs and services. The Languages Commissioner plans to meet with Secretary of State to discuss this.

Cutbacks in funding from Secretary of State caused numerous complaints. The Languages Commissioner analyzed the agreements and expenditures, and wrote to Secretary of State and the two MP's to explain how the cuts would affect the delivery of services and programs.

A Native Language position in GNWT was left vacant for a long time. Since there is now a legal obligation in some offices to provide services in Aboriginal Languages, these positions should be filled quickly or some temporary arrangement should be made to ensure the service is available.

4. Communications with the public.

People complained that GNWT did not use plain English in communications with the public. There were complaints about signs being in English only, or English and French only, about a lack of help for people in airports when they travel to other regions, and about too much written information and not enough information on TV or radio. Some of the signs were on federal government buildings or private businesses and don't have to be in other Official Languages.

A hospital patient complained that none of the instructions for taking medicine or giving samples was translated on the labels. The hospital is making a lot of effort to improve all language services.

5. Interpretation/translation.

There were complaints about lack of funding for organizations to hire interpreters, some incorrect translations, the use of untrained interpreters, lack of availability of translated materials, inconsistent spelling in Native Language materials, and lack of materials in Dene syllabics. People also complained that the rates of pay are different depending on the language used by interpreters and translators, even when they do the same type of work.

One important complaint was from a man accused of speeding under the Motor Vehicles Act. He complained that he had not received a French or bilingual ticket, and that his trial had been conducted in English, with the help of an interpreter, instead of a French trial. He appealed the conviction because he thought his rights under the Charter, the Criminal Code and the NWT Official Languages

Act had been violated. He asked the Languages Commissioner to appear in court on his behalf, or that she provide him with a lawyer.

The Languages Commissioner cannot hire lawyers for people in such cases. She decided not to appear in court because there were no apparent violations of the Official Languages Act and because some other court decisions had already said that tickets did not have to be in French. Also, at that time, regulations under the NWT Summary Conviction Procedures Act also permitted tickets in English only. This changed in March 1992, however, and the Languages Commissioner is following up on this.

The man also said that the transcript of his case was in English only. The Languages Commissioner has suggested to the Department of Justice that transcripts contain everything that was said in court, in the language in which it was said (French or English), plus the interpretation. She also noted that people should be told they have a right to have their trial in English or French. These rights come from the Criminal Code and the NWT Summary Conviction Procedures Act.

Some bilingual forms and tickets became available in 1992, and a French-speaking Justice of the Peace was appointed in Yellowknife in March 1993 to hear cases in French. The Department of Justice is taking steps to improve services in French in the courts, and the Languages Commissioner is continuing discussions with them.

One person also complained that tickets are not available in Inuktitut, but this is not currently required under the Official Languages Act.

Another complaint involved the proposed changes to GNWT's interpreter/translator services, especially if they were going to privatize the services. People wanted input into the decision process. The Department of Education, Culture and Employment has asked for public input into changes in that department, and no decision has yet been made about the changes to interpreter/translator services.

Several people also complained that the French and English versions of the Official Languages Act are different. The Languages Commissioner did a detailed analysis of the two versions and has written to Justice to address these problems. One change was made right away, and others will be brought to the Legislative Assembly's attention.

6. Equal rights for all languages

Some people complained that there is more money for French than for the Aboriginal Languages. One reason for this is that some of the money for French is provided because French is an Official Language of Canada, so there are some things that have to be done for French because of Federal laws, which don't have to be done for Aboriginal Languages. Also, it was not possible to find out exactly how much money the GNWT spends on each language, so it is not really possible to say whether the amounts are different for each language.

7. Bilingual Bonus

People complained about not getting the bonus because their job was not designated bilingual. Others said there was no hiring preference given to people who speak more than one Official Language. The Languages Commissioner has written to and met with Personnel to discuss these issues.

8. Surveys about Official Languages

Several people complained that the Languages Commissioner sent out surveys to employees in English only. This was done partly to find out if any employees preferred to communicate in another language. All GNWT offices were notified when the surveys were distributed that they would be translated into any Official Language if requested, and this was done.

Some people also complained that there were too many surveys about Official Languages, and that the Languages Commissioner should work closely with GNWT to limit these. The Languages Commissioner explained that our office does not have access to all of the information from GNWT surveys, so there was some information we had to collect for ourselves. The Languages Commissioner also asked GNWT for comments on the survey before it was distributed but did not receive a reply. We hope to work more closely on such surveys in the future.

Several people also complained that they did not understand the purpose of some surveys on Official Languages being done in their communities. The Languages Commissioner explained the purpose and referred people to GNWT for more information.

9. Regulations

People complained that the translation of all regulations into French was again delayed. The Languages Commissioner wrote to Justice about this and attended the public meeting.

D: Inquiries

1. Language Courses and Resources

People asked how to get materials to learn Dene languages, about how to test fluency, and about the influence of Native Languages on the learning of English.

2. Interpretation/Translation

People asked about rates of pay for interpreters, errors in Hansard, and legal terminology. There were many requests for assistance in locating interpreters and several requests for information on how to do research in small communities in various languages.

Several people asked about computer adaptations for Native Languages.

3. Information on NWT Official Languages

There were many requests for statistics on Official Languages. Governments, media, writers and researchers also asked about the NWT experience with Aboriginal Languages being Official.

4. Language Rights

A number of people asked about language rights of accused persons and other parties in court proceedings.

5. Funding for Language Projects

Many individuals and groups asked for money for language projects or help in developing proposals. The Languages Commissioner does not have funds for this. We assembled a package of information with over 100 sources of funding and distributed it, and gave some advice.

6. Communications with the Public

Inquiries concerned abortion counselling in Native Languages, the correct use, spelling and pronunciation of words in Aboriginal Languages, materials for elections, Native Language broadcasting, and celebrations for Official Languages.

E. Major Investigations

One major investigation was started this year. It requires more research and cannot be reported yet.

CHAPTER 6: SPECIAL STUDIES

The Languages Commissioner has the authority under the law to conduct special studies on her own. Some of the results from three studies are reported: survey of employees in GNWT institutions, a survey of policy sections of GNWT, and an analysis of the Secretary of State funding since 1984 for Official Languages. (See Tables I to XVII, except Table IV, for funding report.)

Our survey of GNWT Official Languages programs and services was stopped because GNWT wanted to do this. Our survey of the public and of language services and programs in non-government organizations are still underway.

A. Employee Survey

In September 1992, 5,000 questionnaires were sent out with GNWT employee pay cheques. We got back 1,304. The responses were representative of the GNWT as a whole, regarding department, community, region and type of position. The survey was to find out how much employees know about Official Languages and the Act, how they feel about language initiatives, and how Official Languages are used on the job.

1. Results

a) Language Training

Almost nine out of ten people who replied said they were interested in learning another Official Language or improving their language skills.

About half the people who replied said language courses should be required for employees who deal with the public. The other half said no.

Most people wanted to learn French or Inuktitut. Slavey was the most popular choice among the Dene languages, but this doesn't consider North and South Slavey separately.

People wanted to learn another language both so they could communicate on the job and for personal interest.

Most people wanted to take training during working hours or take time off for training. The bilingual bonus was not a strong reward for people to take language training.

People said lack of time and lack of teachers were the main reasons why they were discouraged from learning another language.

About half the people who responded said it was necessary to spend more money on language teaching to improve public services. Only about one in eight said it was a waste of money.

b) Use of Official Languages on the Job

Eight out of ten people who replied said it was necessary or helpful to know another language in their job. About half of the respondents said they could communicate in another language besides English, including non-Official Languages.

About half of the people who speak another language besides English, said they can communicate in French. About one-third could communicate in Inuktitut or a non-Official Language. Not many people said they could speak other languages. About one third of the respondents said they could speak two or more languages besides English.

Of those who can speak another language, about half said they use their other language(s) at work.

About four out of ten people replying said they use interpreters in their job. Interpreters were used mostly for Inuktitut, Slavey, French and Dogrib.

c) Awareness of Official Languages

Most employees surveyed were able to name between four and eight of the eleven Official Language groups. Fewer employees were able to identify Cree, Inuvialuktun, Inuinnaqtun, and North and South Slavey.

Three quarters of employees who replied said they do not get enough information about Official Languages.

d) Support for School Language Programs

A majority of those who responded support compulsory French courses in schools. An even higher number support Aboriginal Language courses.

B. Survey of GNWT Policy Sections

Most departments indicated that they had no guidelines or policies on Official Languages, or that they were not aware of them.

Some said there was no need for any policies, because there were no problems in their department in providing services in all Official Languages. (Some people do not seem to know there are people in the NWT, including GNWT employees, who do not speak English.)

Most departments felt there was a lack of funding to provide services and programs in all Official Languages. Some were not aware that they could seek funding from the Secretary of State agreements, and they did not know that money remained unspent. (See Tables VII to XVII). Only a few departments knew about the funding from Secretary of State in their department, and very few knew how it was being used.

Most departments knew there was an Official Languages Act, but they did not know what parts affected their department. Some did not think it applied to them. Most did not know which documents and forms had to be translated.

Other problems this survey identified were: people don't know how to contact interpreters, and feel there are not enough of them, they feel there is no special terminology for their field of work, and employees don't know who in their offices can provide language services when they are requested.

Generally, this survey indicated a lack of awareness about Official Languages, and some confusion about why the GNWT is trying to implement this initiative. Attitudes ranged from willingness to do something, frustration that there was no direction, and for some, indifference.

C: Analysis of the Secretary of State Funding Agreements for Aboriginal Languages and French

Tables I to XVII, except Table IV, show the funding provided by Secretary of State to GNWT for Official Languages programs and services since 1984, and how much was spent. Some of the information for the earlier years was hard to find, and some of the latest expenditures haven't been verified yet, so we can't report them.

There have been agreements since the 1970's for French language education, but we have only reported these for the last three years. In addition, agreements were signed in 1984 for five years (which was extended to seven years) and in 1991 (for three years) for Aboriginal Languages and French programs and services. These agreements are shown in the Tables, along with expenditures.

From analyzing the expenditure reports, we found that money has been left over almost every year and by almost every department, except for the money for French language programs in the schools. One of the main reasons that GNWT says there was money left, was that the appendices that explain exactly how the money will be spent, have to be signed each year, and Secretary of State has almost always signed these appendices well after April 1st, when the money is supposed to be available. However, it appears that GNWT could have redistributed the funding early enough in the year to allow it to be spent, knowing that in each prior year the delay in signing had caused money to be left over. GNWT does have the power to increase or decrease the money provided for each project by 25% without Secretary of State approval, and by a larger amount if Secretary of State agrees.

In 1993, GNWT hired a financial advisor to be responsible only for the Secretary of State agreements, so they will perhaps be better able to avoid having money lapse in the future.

Secretary of State has announced cutbacks of 10% to their funding for 1993-94 and plan further cutbacks in future years. The current agreement expires March 31, 1994, and GNWT will have to renegotiate for further funding. There is no guarantee of funding, especially with an election happening, but GNWT does not feel that the funding will be cut completely.

CHAPTER 7: RECOMMENDATIONS

The following recommendations are based on complaints and inquiries and our studies of the 1992-93 activities of the institutions of the Legislative Assembly and GNWT. Since this report only covers the fiscal year ending March 1993, some actions may already have been taken since then to implement some of these recommendations.

The Languages Commissioner recommends the following actions:

1. That the Legislative Assembly establish a Standing Committee on Official Languages, or assign this responsibility to an existing committee, and that the Languages Commissioner and Official Languages Unit report regularly to this committee, and that the Annual Report of the Languages Commissioner be referred to this committee for review.

2. That the Legislative Assembly clarify the intended scope of the Languages Commissioner's authority to obtain documents and information from institutions of the Legislative Assembly and GNWT for the purpose of investigations.

3. That the Legislative Assembly clarify whether or not the Languages Commissioner should deal with complaints from employees about Official Languages policies, services and programs, and, if not, that the Legislative Assembly provide direction to GNWT as to how these complaints should be handled without the employees having fear of reprisal.

4. That the Legislative Assembly clarify whether or not the *Official Languages Act* is intended to allow employees to use any Official Language as a language of work, and that GNWT determine how many employees do not speak English or prefer to communicate in a language other than English, and that they develop policies required to accommodate employees who do not speak English.

5. That the Legislative Assembly consider the current GNWT practice of requiring boards, agencies and other institutions to report to the Languages Commissioner through the Deputy Minister responsible, and determine whether or not this is appropriate in all circumstances.

6. That the Legislative Assembly consider whether or not any provision should be made in the *Official Languages Act* for the travelling public, (i.e. people travelling outside the region where their language is spoken) and, if so, what provisions should be made.

7. That the Legislative Assembly clarify whether or not it was intended that obligations under the *Official Languages Act* should apply to groups and bodies providing a service or program to the public on behalf of GNWT or one of its institutions.

8. That GNWT clearly identify to which institutions of the GNWT and Legislative Assembly the *Official Languages Act* applies, and ensure that all of these institutions and the public are made aware of their obligations.

9. That GNWT determine all other Acts and Regulations, besides the *Official Languages Act*, relating to the status and use of Official Languages, and that they monitor any activities related to this legislation.

10. That GNWT, without delay, in consultation with the public, the Languages Commissioner and all departments and institutions, establish operational guidelines for the implementation of the *Official Languages Act*, especially for Section 14, and determine a process and timeframe for the drafting of policies and regulations for this Act. (This includes identifying existing guidelines that are in use, and collecting them into a public document along with new guidelines, policies and regulations.)

11. That GNWT prepare and distribute, to employees and the public, information on the *Official Languages Act*, Official Languages initiatives and the Secretary of State funding agreements.

12. That GNWT more closely monitor the Secretary of State funding agreements to ensure that money allocated is spent and that excess funds are re-allocated early enough in the year to allow other projects to take advantage of these available funds.

13. That GNWT give clear direction to all departments and institutions about how to apply for funding under the Secretary of State agreements, and that they assist them in developing proposals that meet the required criteria.

14. That GNWT advise the public immediately of the coming into effect of new Sections of the *Official Languages Act* or of any Act or Regulation relating to the status and use of Official Languages, or any guidelines or policies related to their implementation.

15. That GNWT adopt a policy of "active offer" for the provision of language services by clearly identifying, through signs, pins/buttons, and public announcements, offices where services are available in languages other than English, as required by Section 14 of the *Official Languages Act*.

16. That GNWT develop a policy on the provision of interpreter/translator services to all departments and institutions, so that all employees know how to make services to the public available in all offices at all times, either through employees of GNWT or through freelance I/T's, as required by Section 14 of the *Official Languages Act*. (This will require clearly identifying which office(s) will be responsible for maintaining and distributing information about freelance interpreter/translators who can be called when GNWT staff are not available, procedures and terms to be used in contracting for I/T services, reviewing and equalizing rates of pay for I/T's for all languages, and so on.)

17. That GNWT consider whether or not it is necessary to provide full simultaneous interpretation in the Legislative Assembly at all times and in all Official Languages, as currently available, or whether service in some languages can be made available on demand, with reasonable notice. (This decision will have to be made in consultation with MLA's. This is based upon many comments that the current interpreter/translator services in the Legislative Assembly do not make the best use of human resources and that interpreters are not available for other urgent assignments when needed.)

18. That GNWT avoid all delays in filling positions responsible for the delivery of Official Languages programs and services required under the *Official Languages Act*, and that if some delay is unavoidable, that an interim arrangement be made with the department or institution responsible, to ensure that the required language services are available at all times.

19. That GNWT clarify to departments, institutions and the public, which documents, forms, and other communications, including "instruments in writing directed to or intended for the notice of the public" as per Section 11 of the *Official Languages Act*, must be translated and into which Official Languages, and in what format (oral, audio-visual or written).

20. That a policy be developed on communicating information to the public using the media most appropriate for each Official Language group.

21. That GNWT consider setting up a 1-800 line for each Official Language, similar to the one existing for French, so that people can contact the GNWT or its institutions at any time using their Official Language.

22. That GNWT, in consultation with employees, the Unions representing employees, and the Languages Commissioner, reconsider their current policies of Bilingual Bonus and Language Allowance, and especially their plans for language fluency testing, to see if this funding would be better utilized instead for language training programs. (People already receiving the bonus could be offered courses in upgrading their fluency or literacy skills, or be taught how to teach language courses, or be involved as instructors.)

23. That GNWT ensure that all managers and employees are aware of the eligibility criteria for bilingual bonus, and ensure that all eligible employees are collecting it.

24. That GNWT ensure that more individuals who are unilingual in an Official Language other than English, or who are bilingual, are employed in the public service. This should be done by adding a language criterion to the Affirmative Action Policy (since these groups have been "traditionally disadvantaged" in employment), or by providing for hiring preference for these people in more jobs.

25. That GNWT determine what materials are available for adult literacy and fluency training for all Official Languages and that they collect and further develop these materials and make them readily available.

26. That GNWT establish more training programs for employees and members of the public who want to learn or teach Official Languages.

27. That GNWT continue to inform the public and its employees of the standardized writing systems for native languages, that they support further research in this area, and that support be developed through non-government bodies for the standardization initiative.

28. That GNWT research and document Dene syllabics for historical purposes and for use in translation for elders when it is specifically requested by them.

29. That GNWT conduct a thorough study of literacy and fluency for all Official Languages in the NWT.

30. That GNWT assist non-government organizations and groups, whenever possible, with developing and delivering services and programs to the public in Official Languages, both by assisting them with planning, interpreting/ translating or other such services, and by ensuring that all available funding is allocated for such community projects. (Examples: phone companies, airlines, drug stores, small businesses, etc.)

Response to Recommendations - Follow Up

The Languages Commissioner requests that a response to the recommendations be received from GNWT before March 31st, 1994, so that they can be considered in the next Annual Report.

CHAPTER 8: THE FUTURE

A: Languages Commissioner's Objectives

Many of the Languages Commissioner's objectives for 1992-93, as reported in Chapter 4, will be continued. Since many administrative matters have now been taken care of, less time will be spent on these, but some time will be devoted to producing an Annual Report. Many complaints still require further work and new ones come in all the time. The issue of whether or not to establish an Advisory Council, and how, will be addressed. We will continue to do research and special studies and to promote Official Languages and provide information about them to the public and employees. Visits will be made to other communities and input will be sought from many organizations. The Languages Commissioner would like to be invited to visit MLA's constituencies and to attend any meetings that deal with Official Languages. Presentations are planned both in the NWT and elsewhere. We will determine what other Acts and regulations relate to the status and use of Official Languages and monitor these as well as the Official Languages Act. We will also pay more attention to language activities in other institutions of GNWT.

B: Future of Languages

The GNWT deserves a lot of credit for its Official Languages initiatives, but more needs to be done to ensure that all of the languages besides English are saved and begin to see gains. If we cannot make advances in the NWT with the current level of financial and legal support, then we must decide whether or not our efforts are in earnest and if we are doing the right things. The use of Official Languages other than English is declining in homes in the NWT, and efforts have to be made to encourage speakers to use their languages. Government alone cannot save languages.

Table I
Financial Statement
Canada-NWT Agreement, Minority-Language Education and Second-Language Instruction
1990-1991

Categories of contribution	CONTRIBUTION	GNWT Expenses	(OVER)
Infrastructure Support	$135,000	$119,331	$15,669
French- First Language Education	$344,000	$385,500	($41,500)
French - Second Language Education	$454,700	$460,615	($5,915)
Both French First and Second	$33,150	$28,310	$4,840
Teacher Training and Development	$28,600	$32,104	($3,504)
Student Support	$39,000	$40,203	($1,203)
TOTAL	$1,034,450	$1,066,063	($31,613)

Source : 1990-91 Financial Statements of the Agreement.

Table II
Financial Statement
Canada-NWT Agreement, Minority-Language Education and Second-Language Instruction
1991-1992

Categories of contribution	CONTRIBUTION	GNWT Expenses	(OVER)
Infrastructure Support	$135,000	$207,445	($72,445)
French- First Language Education	$398,200	$397,950	$250
French - Second Language Education	$407,100	$426,795	($19,695)
Both French First and Second	$41,900	$53,606	($11,706)
Teacher Training and Development	$24,800	$27,412	($2,612)
Student Support	$38,000	$40,424	($2,424)
TOTAL	$1,045,000	$1,153,632	($108,632)

Source : 1991-92 Financial Statements of the Agreement.

Table III
Financial Statement
Canada-NWT Agreement, Minority-Language Education and Second-Language Instruction
1992-1993

Categories of contribution	CONTRIBUTION	GNWT Expenses	(OVER)
Infrastructure Support	$135,000		
French- First Language Education	$399,000		
French - Second Language Education	$404,700		
Both French First and Second	$41,000		
Teacher Training and Development	$19,800		
Student Support	$45,500		
TOTAL	$1,045,000	not available	not available

Source : 1992-93 Appendices of the Agreement.

Refer to Tables XXXV, XXXVI and XXXVII of the full annual report.

Table IV
Budget 1992-93
Languages Commissioner's Office

	Allocation	*Expenditures*	*Variance*
Salaries & Wages			
Permanent	$151,000	$121,369	$29,631
Casuals	$10,000	$43,228	($33,228)
Total	$161,000	$164,597	($3,597)
O&M			
Travel, Transport	$24,000	$17,963	$6,037
Materials, Supplies	10,000	5,777	4,223
Purchased Services	15,000	13,472	1,528
Contracts	52,000	68,634	(16,634)
Fees, Payments	0	2,295	(2,295)
Furniture, Equipment	0	1,166	(1,166)
Total	$101,000	$109,306	($8,306)
Task as a Whole	$262,000	$273,904	($11,904)

Source: Legislative Assembly Financial Report.

Refer to Table XXVI of the full annual report.

Table V
Departments & Agencies Receiving Funding under CANADA-NWT AGREEMENTS (french) 1984-94

DEPARTMENTS & AGENCIES	1984/85	85/87	87/88	88/89	89/90	90/91	91/92	92/93	93/94
Culture & Communications		X	X	X	X	X	X	X	X
Education	X	X	X	X	X	X	X	X	X
Justice			X	X	X	X	X	X	X
Health						X	X	X	X
Executive				X	X	X	X	X	X
Personnel				X	X	X	X	X	X
Social Services						X	X	X	X
Public Works				X	X	X	X	X	X
M.A.C.A.							X	X	X
Renewable Resources							X	X	X
Safety & Public Service						X	X	X	X
Finance							X	X	X
Legislative Assembly					X	X	X	X	X
Transportation							X	X	X
Government Service			X	X	X	X	X	X	X
Energy, Mines & Petroleum Resources									
Economic Development & Tourism							X	X	X
W.C.B.			X	X	X	X	X	X	
Housing Corporation							X	X	X
Women's Directorate							X	X	

Table VI
Departments & Agencies Receiving Funding under CANADA-NWT AGREEMENT (aboriginal) 1984-94

DEPARTMENTS & AGENCIES	1984/85	85/87	87/88	88/89	89/90	90/91	91/92	92/93	93/94
Culture & Communications	X	X	X	X	X	X	X	X	X
Education	X	X	X	X	X	X	X	X	X
Justice		X		X	X	X	X	X	X
Health			X	X	X	X	X	X	X
Executive	X							X	X
Personnel									
Social Services							X		
Public Works							X	X	X
M.A.C.A.									X
Renewable Resources									X
Safety & Public Service									
Finance									
Legislative Assembly									
Transportation							X		
Government Service							X	X	X
Energy, Mines & Petroleum Resources									
Economic Development & Tourism									
W.C.B.									
Housing Corporation									
Women's Directorate									

Source : Appendices of the Canada-NWT Cooperation Agreement for French and Aboriginal Languages in the Northwest Territories, and Canada-NWT Agreement on Contributions for French and Aboriginal Languages
In the 1990-91 fiscal year, Culture and Communications & Education & part of Personnel were amalgamated to create Education, Culture and Employment Programs. Also the departments of Public Works and Government Services were amalgamated.

Education received funding under two agreements: the Canada-NWT Cooperation Agreement and also the Canada-NWT Agreement on Minority Language Education and Second Language Instruction.

Refer to Tables XXIIIX and XL of the full annual report.

Table VII
CANADA-GNWT Agreement for Aboriginal Languages
Allocation and Expenditures

	1984-85	85/86	86/87	87/88	88/89	1989/90 entire year	1990/91 entire year	TOTAL
ALLOCATION ACCORDING TO 1984 AGREEMENT (original agreement)	$1,000,000	$4,000,000	$4,000,000	$3,500,000	$3,500,000			$16,000,000
REALLOCATION ACCORDING TO 1986 AMENDMENT	included in 85-86	$1,900,000	$3,100,000	$3,500,000	$3,500,000	$4,000,000		$16,000,000
REALLOCATION ACCORDING TO 1990 AMENDMENT	included in 85-86	$1,317,000	$1,744,000	$2,853,000	$3,367,000	$3,585,000	$3,234,000	$16,000,000
EXPENDITURES	included in 85-86	$1,348,144	$1,764,710	$2,857,215	$3,308,348	$3,334,208	$3,434,335 *	$16,000,000

Source : Evaluation of the Canada-NWT Contribution Agreement on Aboriginal Language 1988-89, GNWT, March 1991, and the Canada-NWT Cooperation Agreements.

** This amount is an assumption because we don't have any expenditure reports. It is based on $16,000,000 spending*

Refer to Table XII of the full annual report.

Table VIII

How Much Canada Contributed to GNWT for Aboriginal Languages

DEPARTMENTS	1984/86	86/87	87/88	88/89	89/90	1990/91 subsequent year	TOTAL 1984/91
EXECUTIVE	$496,970	NIL	NIL	NIL	NIL	NIL	
EDUCATION	$969,030	$1,529,000	$2,018,000	$1,722,600	$1,682,000	$1,500,000	
CULTURE & COMMUNICATIONS	$434,000	$1,293,474	$1,377,000	$1,266,550	$1,453,000	$1,421,500	
HEALTH	NIL	$182,886	$105,000	$154,000	$92,000	$83,000	
JUSTICE	NIL	$94,640	NIL	$356,850	$356,000	$321,500	
TOTAL	$1,900,000	$3,100,000	$3,500,000	$3,500,000	$3,583,000	$3,326,000*	
TOTAL based on 1988 amendment	$1,900,000	$3,100,000	$3,500,000	$3,500,000	$4,000,000		
TOTAL based on March 90 amendment	$1,317,000	$1,764,000	$2,853,000	$3,247,000	$3,583,000	$3,326,000*	$16,090,000

* the Protocol indicates $3,326,000 for 1990-91 which makes a total of $16,090,000 but the Appendices indicate $3,326,000 for 1990-91 which would make a total of $16,090,000.

Table IX

How Much GNWT Spent out of Canada Contribution for Aboriginal Languages

DEPARTMENTS	1984/86	86/87	87/88	88/89	89/90	1990/91 subsequent year	TOTAL 1984/91
EXECUTIVE	$449,128	NIL	NIL	NIL	NIL		
EDUCATION	$674,535	$773,464	$1,546,146	$1,749,555	$1,464,087		
CULTURE & COMMUNICATIONS	$224,681	$925,416	$1,210,587	$1,227,089	$1,453,106	not available	
HEALTH	NIL	$20,011	$76,682	$63,081	$92,000		
JUSTICE	NIL	$45,819	NIL	$225,663	$325,015		
TOTAL	$1,348,344	$1,764,710	$2,833,215	$3,268,388	$3,334,208	$3,434,338*	$16,090,000

Source : Evaluation of Canada-NWT Contribution Agreement on Aboriginal Languages 1988-1990, GNWT, March 1991 and Financial Statements.

* This amount is an assumption because we don't have any expenditure reports. It is based on $16,090,000 spending.

Refer to Tables XLII and XLIII of the full annual report.

Table X

How Much Canada Contributed to GNWT for French Services 1986-91

DEPARTMENTS	1986/87	87/88	88/89	89/90	90/91	TOTAL
Culture & Communications	$211,000	$782,190	$1,070,400	$1,179,000	$965,000	$4,207,590
Government Services		$137,600	$97,000	$116,000	$110,000	$460,600
Justice		$547,100	$286,500	$435,000	$584,600	$1,853,200
W.C.B.		$66,800	$55,000	$50,000	$48,000	$219,800
Executive			$91,226	$45,000	$50,200	$186,426
Public Works			$102,000	$100,000	$150,000	$352,000
Personnel			$91,200	$181,000	$203,000	$475,200
Legislative Assembly				$40,000	$220,000	$260,000
Health					$135,000	$135,000
Safety & Public Services					$2,400	$2,400
Social Services					$23,200	$23,200
TOTAL	$211,000	$1,533,690	$1,793,326	$2,166,000	$2,491,400	$8,175,416

Table XI

How Much GNWT Spent out of Canada Contribution for French Services 1986-91

DEPARTMENTS	1986/87	87/88	88/89	89/90	90/91	TOTAL
Culture & Communications			$939,202	$1,294,809	$853,895	$3,087,906.23
Government Services			$94,930	$110,246	$96,760	$301,935.90
Justice			$242,127	$335,803	$640,643	$1,218,572.58
W.C.B.			$23,979	$38,073	$47,960	$110,012.34
Executive			$58,260	$44,517	$45,916	$148,692.95
Public Works			data not available	$70,700	$87,566	$158,266.00
Personnel			$78,235	$82,335	$96,650	$257,220.05
Legislative Assembly				0*	$141,358	$141,358.00
Health					$73,330	$73,330.00
Safety & Public Services					$2,400	$2,400.00
Social Services					$16,988	$16,988.00
TOTAL	$211,000	$1,533,690	$1,436,733	$1,976,483	$2,109,666	$7,261,372

** The Legislative Assembly data show $39,687 in expenditure on their own budget, so it's not indicated in the total of the Expenditures.*

Note : The 1986-87 and 1987-88 totals are based on the assumption that total allocated funds were spent because no detailed expenditures reports are available.

Source : Canada-NWT Agreement on Contributions for French Services and Financial Statements of GNWT.

Refer to Tables XLIV and XLV of the full annual report.

Table XII
Financial Statement
Canada - NWT Cooperation Agreement for Aboriginal Languages
1991-92 (1st year of the new agreement)

Departments	Contribution	Expenditure	Under (Over)
Culture & Communications	**$2,262,500**	**$1,933,050**	**$329,450**
Directorate	*$150,000*	*$0*	*$150,000*
Language Bureau	*$1,216,900*	*$1,211,588*	*$5,312*
Orthographies	*$95,600*	*$69,932*	*$25,668*
Language Contributions	*$500,000*	*$351,266*	*$148,734*
Broadcast Media	*$300,000*	*$300,264*	*($264)*
Education	**$2,255,000**	**$2,088,299**	**$166,701**
Teacher Education Program	*$450,000*	**$508,621*	**($58,621)*
Language Development	*$1,475,000*	*$1,344,895*	*$130,105*
Promotion of Native Teachers	*$30,000*	*$3,296*	*$26,704*
Advanced Education - Literacy	*$300,000*	*$231,487*	*$68,513*
Government Services	**$25,000**	**$0**	**$25,000**
Health	**$125,000**	**$116,727**	**$8,273**
Justice	**$325,000**	**$316,561**	**$8,439**
Public Works	**$10,000**	**$10,000**	**$0**
Social Services	**$50,000**	**$22,955**	**$27,045**
Transportation	**$10,000**	**$0**	**$10,000**
Arctic College	**$637,500**	**$434,612**	**$202,888**
Interpreter-Translator Program - Training	*$221,000*	*$155,343*	*$65,657*
Interpreter-Translator Program- Terminology & Material	*$26,800*	*$25,296*	*$1,504*
Training	*$290,700*	*$234,979*	*$55,621*
Literacy Training	*$99,000*	*$18,994*	*$80,006*
Total	**$5,700,000**	**$4,922,204**	**$777,795**
			or 14% under

Source : Appendix "A", Aboriginal Languages, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements 1991-92.

Refer to Table XLVI of the full annual report.

* These figures are based on the Languages Commissioner's calculations since we did not receive a financial statement from the department for this project.

Table XIII

Canada-NWT Cooperation Agreement for Aboriginal Languages

1992-93

Departments	Contribution	Expenditure	Under (Over)
Education, Culture & Employment	**$4,632,000**	**$4,312,219**	**$319,781**
Aboriginal Language Development	*$1,650,000*	*$1,627,641*	*$22,359*
Broadcast Media	*$345,000*	*$391,261*	*($46,261)*
Language Bureau	*$1,200,000*	*$1,023,354*	*$176,646*
Orthographies & Terminology	*$110,000*	*$46,833*	*$63,167*
Language Enhancement Program	*$500,000*	*$468,549*	*$31,451*
Museums/Heritage	*$67,000*	*$59,491*	*$7,509*
Teacher Education	*$450,000*	*$404,685*	*$45,315*
Aboriginal Language Literacy	*$280,000*	*$289,110*	*($9,110)*
Specialist Teachers Councils	*$30,000*	*$1,294*	*$28,706*
Executive	**$300,000**	**$300,125**	**($125)**
Government Services & Public Works	**$10,000**	**$9,798**	**$202**
Health	**$100,000**	**$124,498**	**($24,498)**
Justice	**$330,000**	**$352,221**	**($22,221)**
Arctic College	**$628,000**	**$475,455**	**$152,545**
Interpreter-Translator Program - Training	*$200,000*	*$242,718*	*($42,718)*
Interpreter-Translator Program - Linguistic Analysis	*$25,000*	*$14,707*	*$10,293*
Aboriginal Language Teacher Program - Training	*$303,000*	*$199,957*	*$103,043*
Literacy Training	*$100,000*	*$18,073*	*$81,927*
Total	**$6,000,000**	**$5,574,315**	**$425,685**

Source : Appendix "A", Aboriginal Languages, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements 1992-93.

Refer to Table XLVII of the full annual report.

Table XIV
Canada-NWT Cooperation Agreement for Aboriginal Languages
1993-94

Departments	Contribution	Expenditure	Under (Over)
Education, Culture & Employment	**$4,945,000**		
Aboriginal Language Development	*$1,370,000*		
Broadcast Media	*$360,000*		
Language Bureau	*$772,000*		
Language Enhancement Program	*$540,000*		
Museums/Heritage	*$68,000*		
Teacher Education	*$550,000*		
Aboriginal Language Literacy	*$232,000*		
Daycare	*$45,000*		
Arctic College	*$600,000*		
Language Research, Development & Promotion	*$408,000*		
Executive	**$126,000**		
Government Services & Public Works	**$10,000**		
Health	**$90,000**		
Justice	**$423,000**		
Legal Interpreting Program	*$415,000*		
Programs & Legislation	*$8,000*		
Renewable Resources	**$76,000**		
Total	**$5,670,000**	**not available**	**not available**

source : Appendix "A", Aboriginal Languages, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages.

Refer to Table XLVIII of the full annual report.

Table XV

Financial Statement

Canada - NWT Cooperation Agreement for French Services

1991-92 (1st year of the new agreement)

Departments & Agencies	Allocation	Expenditure	Under (Over)
Culture & Communications	**$1,566,600**	**$1,037,401**	**$529,199**
Directorate	$377,600	$301,295	$76,305
Publication & Production	$205,000	$78,274	$126,726
Language Bureau	$669,000	$383,673	$285,327
Museums/Heritage	$30,000	$14,867	$15,133
Library Services	$75,000	$73,883	$1,117
Community / Cultural Development Program	$210,000	$185,409	$24,591
Economic Development & Tourism	**$33,600**	**$32,392**	**$1,208**
Education	**$11,300**	**$5,046**	**$6,254**
Executive	**$52,200**	**$53,101**	**($901)**
Finance	**$7,200**	**$3,600**	**$3,600**
Government Services	**$150,000**	**$148,109**	**$1,891**
Health	**$417,200**	**$152,674**	**$264,526**
Policy Development	$75,000	$79,681	($4,681)
Provision of Services	$291,000	$72,693	$218,307
Health Promotion	$51,200	$300	$50,900
Justice	**$736,700**	**$695,178**	**$41,522**
Legislation	$595,400	$604,672	($9,272)
Policy & Planning	$56,000	$69,263	($13,263)
Court Services	$12,400	$6,643	$5,757
Legal Aid	$5,500	$0	$5,500
Legal Interpreting	$28,000	$5,000	$23,000
Legal Division	$37,200	$8,400	$28,800
Legal Registries	$2,200	$1,200	$1,000
Legislative Assembly	**$185,000**	**$215,482**	**($30,482)**
Municipal & Community Affairs	**$6,000**	**$0**	**$6,000**
Personnel	**$290,000**	**$140,563**	**$149,437**
Policy & Planning	$50,000	$22,784	$27,216
Services to Employees & Departments	$240,000	*$117,779	*$122,221
Public Works	**$365,000**	**$314,180**	**$50,820**
Accomodation services	$128,000	$137,531	($9,531)
Policy & Planning	$237,000	$176,649	$60,351
Renewable Resources	**$6,000**	**$1,200**	**$4,800**
Safety & Public Services	**$2,400**	**$1,913**	**$487**
Social Services	**$89,800**	**$31,645**	**$58,155**
Transportation	**$54,800**	**$469**	**$54,331**
Women's Directorate	**$15,000**	**$1,344**	**$13,656**
N.W.T. Housing Corporation	**$10,000**	**$4,863**	**$5,137**
W.C.B.	**$1,200**	**$1,200**	**$0**
TOTAL	**$4,000,000**	**$2,840,359**	**$1,159,641**

or 29% under

Source : Appendix "B", French, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements 1991-92.

Refer to Table XLIX of the full annual report.

* These figures are based on the Languages Commissioner's calculations since we did not receive a financial statement from the department for this project.

Table XVI
Canada-NWT Cooperation Agreement for French Services
1992-93

Departments & Agencies	Contribution	Expenditure	Under (Over)
Education, Culture & Employment	$1,152,500	$1,043,021	$109,479
Broadcast Media	$50,000	$49,382	$618
Language Bureau	$635,000	$543,514	$91,486
Museums/Heritage	$70,000	$60,421	$9,579
Library Services	$55,000	$47,165	$7,835
Community / Cultural Development Program	$248,000	$283,171	($35,171)
Training Services	$15,000	$1,650	$13,350
Centralized Information Service	$74,000	$57,718	$16,282
Literacy Public Awareness Campaign	$5,500	$0	$5,500
Economic Development & Tourism	$43,000	$19,819	$23,181
Executive	$382,400	$335,526	$46,874
Official Languages Implementation	$375,000	$334,326	$40,674
French Language Services	$7,400	$1,200	$6,200
Finance	$7,200	$3,602	$3,598
Government Services & Public Works	$595,000	$373,179	$221,821
Policy and Planning	$140,000	$111,019	$28,981
Accomodation Services	$125,000	$73,929	$51,071
Publications and Production	$180,000	$68,712	$111,288
Forms and documents	$150,000	$119,518	$30,482
Health	$533,200	$425,372	$107,828
Policy and Planning	$96,000	$99,194	($3,194)
Health Centres and Hospitals	$411,000	$312,883	$98,117
Health Promotion	$26,200	$13,295	$12,905
Justice	$724,300	$565,302	$158,998
Programs and Legislation	$610,000	$530,388	$79,612
Court and Court Related Services	$72,100	$34,914	$37,186
Legal Division	$42,200	$0	$42,200
Legislative Assembly	$310,000	$247,425	$62,575
Municipal & Community Affairs	$4,000	$0	$4,000
Personnel	$344,500	$159,907	$184,593
Policy & Planning	$30,000	$0	$30,000
Services to Employees & Departments	$314,500	$159,906	$154,594
Renewable Resources	$6,000	$2,400	$3,600
Safety & Public Services	$52,400	$32,948	$19,452
Social Services	$119,300	$87,166	$32,134
Transportation	$20,000	$21,033	($1,033)
N.W.T. Housing Corporation	$5,000	$2,368	$2,632
W.C.B.	$1,200	$900	$300
TOTAL	$4,300,000	$3,319,966	$980,034

Source : Appendix"B", French, in the Canada - NWT Cooperation Agreement for Frenchand Aboriginal Languages, and the financial statements 1992-93.

Refer to Table L of the full Annual Report.

Table XVII
Canada - NWT Cooperation Agreement for French Services
1993-1994

Departments & Agencies	Allocation	Expenditures	Under (Over)
Education, Culture & Employment	**$1,432,100**		
Broadcast Media	*$45,000*		
Language Bureau	*$816,300*		
Museums/Heritage	*$95,800*		
Library Services	*$24,000*		
Community / Cultural Development Program	*$316,000*		
Training Services	*$18,000*		
Centralized Information Service	*$72,000*		
Literacy Public Awareness Campaign	*$5,500*		
Arctic College	*$25,000*		
Daycare	*$14,500*		
Economic Development & Tourism	**$112,400**		
Delivery of Programms and Services	*$37,400*		
Fort Smith Mission Historic Park	*$75,000*		
Executive	**$389,350**		
Finance	**$3,600**		
Government Services & Public Works	**$470,000**		
Policy and Planning	*$120,000*		
Accomodation Services	*$125,000*		
Publications and Production	*$85,000*		
Forms and documents	*$140,000*		
Health	**$383,700**		
Policy and Planning	*$77,000*		
Health Centres and Hospitals	*$271,700*		
Health Promotion	*$35,000*		
Justice	**$700,650**		
Programms and Legislation	*$555,250*		
Court and Court Related Services	*$38,400*		
Legal Division	*$6,000*		
Legal Interpreting Programm - French	*$71,000*		
Justice Special Project	*$30,000*		
Municipal & Community Affairs	**$7,600**		
Personnel	**$334,700**		
Enhancement of GHRS Database	*$50,000*		
Services to Employees and Departments	*$266,700*		
Fluency Testing	*$18,000*		
Renewable Resources	**$34,000**		
Safety & Public Services	**$20,000**		
Social Services	**$24,800**		
Transportation	**$120,100**		
N.W.T. Housing Corporation	**$17,000**		
W.C.B.	**$0**		
TOTAL	**$4,050,000**	**not available**	**not available**

Source: Appendix "B", French, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages.

Refer to Table LI of the full Annual Report.

EIGHT OFFICIAL LANGUAGES:

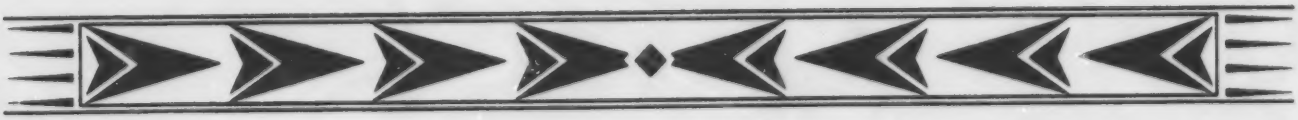
MEETING THE CHALLENGE

FIRST ANNUAL REPORT OF

THE LANGUAGES COMMISSIONER

OF THE NORTHWEST TERRITORIES

FOR THE YEAR 1992 - 1993



Second Edition

For more copies of this report please call the Office of the Languages Commissioner of the N.W.T at 873-7034 or 1-800-661–0889.

A summary of this report is available in the Official Languages of the N.W.T.

This is the Second Edition of the report.
Tables XLVI to LI are revised.
January 94.

EIGHT OFFICIAL LANGUAGES:

MEETING THE CHALLENGE

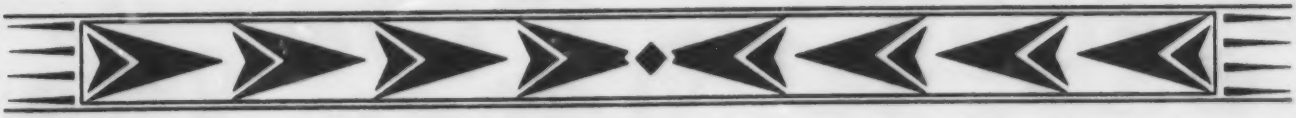
FIRST ANNUAL REPORT OF

THE LANGUAGES COMMISSIONER

OF THE NORTHWEST TERRITORIES

FOR THE YEAR 1992 - 1993

Northwest Territories Legislative Assembly



Second Edition

The Hon. Michael Ballantyne
Speaker
Legislative Assembly
Yellowknife, NWT

Mr. Speaker:

Pursuant to Section 23 of the *Official Languages Act*, I hereby submit to the Legislative Assembly, through your good offices, the first ***Annual Report of the Languages Commissioner of the NWT***, covering the fiscal year 1992-1993.

Yours respectfully,

Betty Harnum

Betty Harnum
Languages Commissioner
of the Northwest Territories

November 1993

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PREFACE

In 1984, the NWT Legislative Assembly took a bold step in passing its first *Official Languages Act*, making English and French official languages in the NWT, and, at the same time, declaring seven Native Languages as "official aboriginal languages". In 1990, this *Official Languages Act* was amended to give equal "Official" status to English, French, Cree, Chipewyan, Dogrib, Gwich'in, Slavey (including North and South Slavey) and Inuktitut (including Inuvialuktun and Inuinnaqtun). The amendments also created the position of Languages Commissioner to act as a linguistic ombudsman for people who have complaints that their linguistic rights are not being upheld.

The NWT is often envied by other regions of Canada because of the progress being made in the recognition of Official Languages, especially Aboriginal Languages. Many people ask how we manage to deal with eight Official Languages, when some people in other parts of the country are finding it hard to cope with just two Official Languages - English and French. The NWT is the only place in North America where Aboriginal Languages have Official status, and one of the few places in Canada where French is an Official Language in provincial/territorial institutions. Aside from the NWT, New Brunswick and Quebec are the only provinces with their own *Official Languages Act*. Manitoba has some policies on Official Languages, but no Act. The Yukon has a *Languages Act*, making certain provisions for French and Aboriginal Languages, but they are not "Official".

The commitment made by the NWT Legislature through the *Official Languages Act* has presented many new challenges for our government. We are breaking new ground in the NWT, and there will be many successes and frustrations as we attempt to implement such a novel piece of legislation. By establishing the Office of the NWT Languages Commissioner, the Legislative Assembly has tried to indicate to the people of the NWT and to government employees that they are serious about upholding language rights. The *Official Languages Act* requires that the Languages Commissioner report at least once a year to the Legislature in order to provide them with an assessment of Official Languages programs and services and to recommend any changes to the Act that would improve the linguistic situation in the NWT. As this is

the first Annual Report of the Languages Commissioner to the Legislative Assembly, it provides some historical information as well as discussing the activities of the first year.

During this first year, the Languages Commissioner became aware of many misunderstandings that exist about Official Languages in the NWT. Some people feel that the *Official Languages Act* is about forced bilingualism or multilingualism. It is not. It simply provides the framework for choice - those people who cannot communicate in English, or who prefer to communicate in a language other than English, now have certain guarantees from their government that they can communicate in their own language. It is about respect for minorities, about breaking down systemic barriers that have existed for years, and about fairness. It is about equal opportunity for linguistic minorities to participate in the affairs of government. It also acknowledges that the NWT is the only province or territory in Canada where the majority of the residents (62% in 1991) have Aboriginal origins.

Many people do not understand that the NWT *Official Languages Act* only applies to the institutions of the Legislative Assembly and GNWT; it does not apply to private businesses, nor to federal or municipal governments. Some people believe that the Act will solve all of the problems they encounter with language - such as discrimination, unfair labour practices, funding difficulties experienced by community projects, or even personality clashes. It cannot. Of course the Act has its limits, and as we become more familiar with it, we can learn to use it in the way it was intended to be used. The NWT *Official Languages Act* has never been interpreted in a court of law, so we are relying for the time being on court decisions based on similar legislation in order to interpret our own Act. There are some parts of our *Official Languages Act*, however, that are different from other similar laws, and we may eventually require a court decision to provide us with a clearer interpretation of certain sections.

The *Official Languages Act* grants certain powers to the Languages Commissioner in order to resolve disputes when differences of opinion arise about the interpretation of this Act or any other act or regulation regarding the status or use of Official Languages in the NWT. The Languages

Commissioner can conduct investigations, require certain actions to be taken by GNWT, and make recommendations to the GNWT and the Legislative Assembly. As a last resort, the Languages Commissioner can appear in court if a violation of the rights, privileges, spirit or intent of the *Official Languages Act*, or any other act or regulation relating to the status or use of Official Languages, appears to have occurred, and if there is no way to informally resolve the dispute.

But these powers do have their limits; the Languages Commissioner cannot resolve every problem that arises relating to language in the NWT. Some of the problems that exist are related to federal laws, such as the *Constitution*, the *Charter of Rights and Freedoms*, the federal *Official Languages Act* or the *Criminal Code*, or other NWT laws or agreements not within the Languages Commissioner's jurisdiction, such as the *Labour Standards Act* or even the *UNW Collective Agreement*. The Languages Commissioner can refer these problems to other bodies for their attention, but she cannot insist on any action. Neither can the Languages Commissioner provide free legal counsel to anyone who wants to appear in court to present their case. Many people and groups brought these types of complaints or requests to our office this year.

The role will gradually become understood, but as this is the first ombudsman-type position in the NWT, there will no doubt be some confusion for awhile. Even the authority of the Languages Commissioner is still in question, for example, with regard to obtaining certain information or documents. Should the Languages Commissioner be treated the same as the public in this regard, or should some government information that is not "public" be available for the purpose of investigations? Perhaps an *Access to Information Act* would help to clarify this, but for the time being, the question remains.

Although there are many people in the NWT who support the government's initiatives in Official Languages, there is still a great deal of work to be done to develop an awareness of the needs and aspirations of Official Language groups and a sensitivity to and respect for their motives. There is some misunderstanding between the language groups, and this has sometimes led

to competition rather than cooperation. All of the Official Language groups in the NWT, except English, are linguistic minorities in the NWT and in Canada. The dominance of the English language is a common threat to the survival of all these languages. Those of us who share this "English privilege" in Canada and the NWT must be supportive of the struggle that these linguistic minorities are confronting, and they must also be supportive of each other.

The Languages Commissioner hopes to encourage mutual cooperation and respect amongst all language groups in the NWT. Let us be proud of the achievements we have made and look at reasonable solutions to the problems that remain. The Languages Commissioner's role is to monitor the implementation of Official Languages in the NWT, and to suggest sensible, cost-effective measures that result in the greatest benefit to the largest possible number of people, and to ensure that the provisions of the *Official Languages Act* and other related acts are upheld.

However, the Languages Commissioner does not want to see these languages "officialled to death". Since human and financial resources are limited, trying to make every service and program available in all Official Languages is not possible. Services and programs should not be made available simply because they are required by law, if they are not the priority of the language community. There should be an effort made to make some things available on demand, while other services and programs of greater benefit to more people should be given priority. Hopefully, this will assist all the various groups to develop pride, understanding and mutual respect, and it will allow the government to meet the most immediate needs of the people, while planning to meet the less urgent needs in a reasonable time and manner.

Many individuals and groups have already come to the Languages Commissioner for assistance in this first year, even before a major publicity campaign has been done. It appears that there is a real need for this type of office. Many people contact the office because they do not know who is responsible for the service or program about which they want information. In this sense, the office offers a very useful referral service, while monitoring the information needs of the communities. The Legislature deserves a great

deal of credit for establishing this position. In so doing, they have established a collective voice for the problems and concerns of individuals. We trust that, in responding to this report, the Legislature will continue to demonstrate their commitment to addressing language issues in a fair and reasonable manner.

Several months have been devoted to writing this first Annual Report. It is an attempt to provide some history about Official Languages, a brief discussion of the Act, some data on the present state of the languages in the NWT, some examples of opinions and complaints about Official Languages, and a commentary on the activities of GNWT and the Languages Commissioner related to the implementation of the *Official Languages Act*. I hope that this report assists our government and the public in becoming more aware about Official Languages, and that it provides a framework for discussion and change that will lead to an improved quality of life for all NWT residents.

I would like to thank the Legislative Assembly for giving me the opportunity of being the first Languages Commissioner. I have learned a lot in the first year, and I have tried to take my responsibility seriously because I strongly believe that the preservation, development and enhancement of all our Official Languages will improve life for so many NWT residents. I would also like to thank my staff for all their support in this difficult first year, and especially for their assistance in producing this Annual Report. This report is dedicated to all the people who work so hard at language preservation. Theirs is a daunting task. I want them to know that they have my full support.

Betty Harnum

Betty Harnum
Languages Commissioner

CHAPTER 1:
OVERVIEW OF LANGUAGES IN THE NWT

A. Languages in the NWT

Aboriginal groups have occupied the area now known as the NWT for many centuries. The Vikings visited the Eastern Arctic before 1000AD and found the ancestors of present day Inuit there. European explorers, whalers and merchants began arriving in the NWT in about the 16th century, but in greater numbers beginning in the 1700 and 1800's. Frobisher visited the Iqaluit area in the late 1500's. The Cree and Chipewyan had contact with Europeans in the late 1600's and early 1700's, but the first recorded voyages of Europeans into the Western Arctic are Hearne and Mackenzie in the late 1700's. Missionaries, teachers, health workers, government officials and others from various linguistic and cultural groups soon followed. All of these individuals have had a very strong influence on the languages and cultures in the NWT. For example, there are many English loan words in Inuktitut, and many French loan words in the Dene (Athapaskan) languages.

Currently, there are three aboriginal language families in the NWT: the Eskimo-Aleut language family, which includes **Inuktitut, Inuinnaqtun** and **Inuvialuktun** in the NWT; the Athapaskan language family, which includes **Chipewyan, Dogrib, Gwich'in** (formerly known as Loucheux), and **North and South Slavey**; and the Algonquian language family, of which **Cree** is the only language to be found in the NWT. In addition, there are many other languages which are part of other language families, such as **English** and **French**, members of the Indo-European language family.

Since 1984, all of the languages named above have been Official Languages in the NWT. (See Chapters 2 and 3 for a history and discussion of the NWT *Official Languages Act*.) Although the *Official Languages Act* names eight Official Languages, the Interpretation Section states that "Inuktitut includes Inuvialuktun and Inuinnaqtun" and "Slavey includes North and South Slavey". Thus, when translations are done or signs are made in all the Official Languages, there are actually eleven versions required.

Many people ask why, in the NWT as elsewhere in the world, so much effort is made to preserve languages. Often, these people will suggest that everyone should be taught one language - perhaps English or French. They suggest that this would solve all of our communication problems, and contribute to greater unity. Because this report does advocate the preservation, development and enhancement of numerous languages, it first examines some reasons for preserving languages, and then comments on the current state of health of each of the Official Languages of the NWT. It then provides some examples of people's opinions about Official Languages, so that we become more aware of the climate in which this work is being undertaken.

B. Preserving Languages

Over 5000 languages are known to exist or to have existed in the world[1], but over 90% of the world's existing languages are expected to disappear or become endangered in the next century.[2] Many people in the NWT speak Aboriginal languages or dialects that do not exist anywhere else in the world, languages that are in danger of disappearing if serious efforts are not made in this generation, in this part of the world, to stop their decline.

The Aboriginal Languages of the NWT have not been well documented in writing, so the people who speak these languages are the last source of information. Elders are often called "walking dictionaries", because very few written resources exist. For those of us who speak languages for which dictionaries, encyclopedias, reference books, literature and an enormous amount of written materials exist, it is hard to imagine not being able to go to a book to find the meaning or correct spelling of a word, a synonym or antonym, a famous quotation or detailed information on any topic. Neither can we imagine the frustration of receiving very little or no news or other programs on TV or radio in our own language. This is the situation faced by most Aboriginal peoples in Canada today.

Why do people care about preserving these languages? There are many reasons. The disappearance of a language can be compared to the disappearance of a biological species; in each case, we lose a great deal of historical information and we have fewer ways of viewing the world, its

problems and possible solutions. For example, studying languages can tell us a great deal about the migration of people, their common roots, their historical contacts, their cultural and social structures. It can contribute to the knowledge required to discover where certain people originated, where they travelled, what lands they traditionally used, how their cultures adapted to climactic and environmental conditions, what plant and animal life was found in certain areas at a given time, and so on.

We can also learn about how the human mind processes information by comparing the similarities and differences of many languages. Language research has also contributed to medicine, for example, in the area of diagnosing, treating and rehabilitating patients with brain damage or speech problems.

In the fall 1992 edition of the Bulletin of the Conseil de la langue française du Québec, William F. Mackey, "an internationally renowned expert on bilingualism" is quoted as saying: "every language lost diminishes the semantic wealth of our cultural heritage". The Bulletin goes on to say :

> These pessimistic forecasts suggest that a large number of psychosocial problems may develop. The disappearance of a language jeopardizes ethnic identity and, as a result, diminishes the importance of the mother tongue, stigmatizes linguistic variations deemed inferior, and gives rise to sociological phenomena such as delinquency and suicide. In a word, all sorts of symptoms appear that can be placed under the heading of alienation.[3]

Often, people who do not speak a language well experience feelings of anxiety, embarrassment, inferiority, inadequacy, intimidation, frustration, anger, isolation or hopelessness. They may lack a sense of pride, belonging or acceptance. If a language is not respected and given its proper place in society, some of its speakers may even come to resent the language group they are a part of, because they see it as being socially or intellectually inferior. All of these feelings can lead to major social problems. This is particularly true when individuals do not learn any language well, when they grow up perhaps learning two or three languages, but do not gain total fluency in any of them. This is generally called "semilingualism", and there is quite a bit of research in this area.

Many languages face extinction when strong cultures exert pressures on them. On the other hand, some languages may survive in the face of cultural conflict, because the language is seen as a symbol of common identity, which people become determined to preserve. It may become "a rallying symbol of a political or cultural movement"[4], which brings people together. Some languages survive because the speakers become aware of the complexity of their language, and realize that outsiders cannot easily learn it, so it can therefore be used as a means of private communication in situations where speakers do not want outsiders to understand what is being said.

When groups do decide to try to preserve languages, careful management and planning are essential. In order to accomplish this, detailed information is needed about the languages, and a great deal of commitment is required by its speakers to continue using the language in the face of hardship. It is a much easier task if people other than the speakers of the language are supportive, and make efforts to encourage its use. If language rights can be legislated, there is a strong basis for language preservation, but again, a great deal of the work must be done by the speakers of the language, or the rights are ineffective.

The NWT is one of the few places in Canada, and the world, where the worth of languages has been recognized, and rights have been legislated. Currently in the NWT, there is a need for services to people in many language groups. In the 1991 Census, 62% of the NWT's population reported Aboriginal origins, the highest of all Canadian provinces and territories. Of the 57,649 people in the NWT in 1991, 5005 people, or 8.7% of the population, indicated in the Canada Census that they do not speak or understand English or French. There are 23,430, or 40.6% of the population, who reported that their mother tongue* is an Official Language other than English, and 17,390, or 30.1% of the population, who reported using an Official Language other than English as a home language*. (* These terms and other terms used throughout this report are defined in the Glossary in the Appendices).

Many NWT residents, therefore, represent linguistic minorities, and are well aware of the special needs and aspirations of these groups, and are supportive

of the steps being taken to provide a framework for the maintenance of a multilingual society.

What is needed now is a guarantee that this commitment is not simply lip-service, and that the funding available for language activities is used wisely, in the most essential areas. Otherwise, speakers and non-speakers alike will express their dissatisfaction and frustration, and the essential support will be lost.

C. Measuring the Health of Languages

Many people express concern over the fact that their language is changing. They believe that this is a bad sign, that languages should stay the same over time in order to be preserved. In fact, a certain amount of change is a healthy sign. Only languages that are dead do not change. For example, the English we speak today is very different from its earlier form, which cannot even be understood by modern English speakers without special study.

When people use a language every day, they must adapt its vocabulary to a constantly changing reality. There may also be changes in the sounds of the language or the pronunciation of words, and some changes to the way words or sentences are formed. These are normal processes of language change. Since all of the NWT languages are changing, this is a sign that they are being used and adapted, to varying degrees, for modern usage. However, when a language changes too quickly and there are major communication problems between existing generations, or when languages begin to borrow heavily from another language, this can be a sign of vulnerability. These processes are evident in NWT languages today, and require detailed study, but this analysis does not focus on these aspects of language change.

Instead, the information below looks at some other indicators of language "health" - the number of children learning each language, the number of people using each language in their home, how dispersed the population of speakers is, how many speakers there are of each language in specific regions and other parts of the country, how many people are learning the language

and from whom (schools, elders, parents,...), how much interest there is in learning or re-learning a language, and so on.

These indicators give us some idea of the chances of survival of a language. For example, when fewer children are learning a language (decrease in mother tongue), or when languages are used less frequently in the home by its speakers (decrease in home language), there is cause for concern. "Language shift" is said to occur when people who learned a specific language as their mother tongue begin to use another language as the main language in the home. We will see in this report that these processes are evident in the NWT today.

When we look at the figures in this report, we also have to consider the special conditions that apply to each dialect of a language. People often ask whether or not there is a common dialect or language amongst NWT's native people. There is not. There is no relationship at all between the three Aboriginal language groups - Inuit, Dene, and Algonquian (Cree). Within the Inuit language group, there are some major dialect differences, but they are all one language. Within the Dene language family, there is some degree of commonality in terms of vocabulary and grammar, but there are enough differences for each one to be classified as a separate Dene language.

Even within one language, there is no standard dialect. Most speakers of aboriginal languages prefer to maintain their own dialect as much as possible, although most people can adapt their way of speaking to some extent when they meet people from other areas, depending on their exposure to other dialects and the extent of difference between the dialects. If we think for a moment about how difficult it was (and still is) for many of us to convert from Imperial to metric measurement (miles to kilometers, etc.), we can gain some understanding of how difficult it is for speakers of one dialect to switch to another.

In this report, whenever possible, we have presented separate figures for various dialects. Unfortunately, most of the studies conducted do not make this distinction. This is not entirely satisfactory, since we are not accurately representing the situation of minor dialects when we only present data based

on the overall picture of a language. In fact, there are even many sub-dialects within dialects, so the facts about a particular dialect may not represent these minor variations either.

It is interesting to note that there is no one definition by which to determine whether or not a specific speech form constitutes a separate language or dialect. The names given to the Aboriginal Languages and dialects in the NWT are somewhat arbitrary, having originated from non-native speakers for the most part. "Eskimo" originated from Cree, and "Loucheux" came from French. Both of these names have recently been changed so that these groups now use their own word for "people" instead - "Inuit" and "Gwich'in" respectively.

Most of the names for languages and dialects are not used consistently in the literature either, so it makes it difficult to compare statistics from different studies. Native speakers of a language have quite a different way of designating the many varieties of speech within their linguistic group, but these dialects or sub-dialects are rarely if ever reported separately in studies. For example, some Dogrib speakers have recently started calling themselves "Yellowknife" Dene, when, in fact, Yellowknife was historically reported as a dialect of Chipewyan, whose speakers are supposedly now extinct. [5] A lot of work still needs to be done to document the dialects and sub-dialects of Aboriginal Languages accurately, especially taking account of Native people's intuitions about dialect differences.

For example, the Western dialects of Inuktitut - Inuvialuktun and Inuinnaqtun - and some other dialects like Natsilingmiut and Arviarmiut, are spoken by very few people. Within these dialects, there are further sub-dialects that have very significant differences. Saying that Inuktitut has many speakers does not correctly represent the situation for these smaller sub-groups.

Another example is Slavey. North and South Slavey are usually classified by linguists as different languages, but they are sometimes treated collectively as "Slavey". (In the 1990 version of the NWT *Official Languages Act*, North and South Slavey are only referred to in the Interpretation Section, but in the 1984

version of the Act, they were named as separate "official aboriginal languages".) South Slavey speakers recognize several sub-dialects within their region. Within North Slavey, there are significantly different sub-groups as well, such as Mountain, Bear Lake (Sah Tu) and Hare. Native speakers can identify as many as six or seven sub-groups. "Hare", which is spoken in and around Colville Lake, was named by outsiders because of these people's traditional use of hare skins for clothing. Statistics Canada reports Hare separately from Slave (Slavey), but does not report other dialects or sub-dialects separately, and they do not distinguish between North and South Slavey.

Also, when we look at the number of speakers of a language in the NWT, it can be misleading, since some languages have many other speakers elsewhere, and have access to resources from these other places in order to maintain the language.

For example, when we look at Cree in the NWT, we find very few speakers, but it is one of Canada's strongest native languages, with over 72,000 people reporting it as mother tongue and over 50,000 reporting it as their home language in the 1991 Census. However, Cree, like other aboriginal languages, has several dialects, and the total number of speakers disguises the picture for certain dialects which may be threatened. French too has few speakers in the NWT, but one quarter of Canada's population claims French as a mother tongue.

Another factor that must be considered in assessing the health of a language is how many speakers live in close proximity to each other. If the speakers are located far from each other, there is less chance of the language being used regularly and maintained. Native people or francophones living outside of the community where their language is used frequently are constantly confronted with pressure to adopt the language of the majority.

In addition, the prestige afforded to a language can greatly influence its chances of survival. If people see English, for example, as the language of the educated, the wealthy, the influential, then there is more chance that people will want to use this as their main or only language, and they might abandon

their mother tongue if they do not see it as being so much of a tool for success. People need to see role models using their language in positions of success and influence in order to see its worth. In addition, people responsible for employment must create opportunities for employment for individuals who speak languages other than English, even if they are unilingual in the other language.

Finally, in assessing how effective all of the language initiatives in the NWT are, we have to look at the goals we are trying to reach. Is the goal to create fully bilingual or multilingual citizens, or to ensure that individuals who so choose can be fluent unilinguals in their language of choice, or is it to create transition programs, so that everyone learns English, and possibly some other language?

When the learning of one language does not reduce competency and development in another, this is considered to be "additive bilingualism". But when the learning of another language does detract from the level of competence and progress being made in another language, this is "subtractive bilingualism". We need more detailed studies to determine the effect of all the language initiatives in the NWT, but the trend that appears from the following data indicates that English is undermining people's skills in other languages, and represents a "subtractive" force on other languages. This may not be the stated goal of our institutions, but it does appear to be the outcome of our past and current practices.

All of these factors have to be considered for each individual language and dialect when we try to assess the strength of each one. The information in this chapter is based on some of the most recent and detailed studies, but there are still many weaknesses in the data. We have to keep these limitations in mind as we look at the following analysis of the state of each Official Language in the NWT. It is all we have to work with right now, so we have to base our conclusions and decisions on this information until more detailed data is available. The GNWT is currently conducting studies that will offer more detailed information on specific communities and dialects, and this will be welcomed by all those who are responsible for the planning and management of the NWT's languages.

D. State of Official Languages in the NWT

i) Mother Tongue

Based on the 1986 and 1991 Canadian Census, Tables I and II show the number of people who claimed each Official Language of the NWT as a "mother tongue" - the first language learned as a child and still understood. Most people claim one mother tongue (single responses), but there are small percentages of people who claim two or more languages (multiple responses) as mother tongue. These are people who learn two or more languages equally in early childhood.

Mother tongue does not make reference to a person's ability to speak a language: In fact, in the NWT, there are many individuals who understand a language but rarely, if ever, speak it. This is one of the last stages in language loss. If people do not speak a language, it is not passed on to younger generations.

We note that the percentage of people claiming each mother tongue has not changed very much from 1986 to 1991. English, Inuktitut, Chipewyan, Dogrib and Gwich'in have each seen some minor increase, Slavey and French show minor decreases, and Cree has not changed. Note, however, that English was learned as a mother tongue by over 50% of the population, Inuktitut by just over one quarter of the population, and Dene languages, Cree and French were learned by very small percentages. The chances of a language being maintained depend to some extent on how many people are learning it, so we can see that Dene languages, Cree and French may be facing difficulty in the NWT because of the small number of children learning them as mother tongue here.

However, there 24.4% of Canada's population claimed French as a mother tongue in 1991, and over 70,000 people claimed Cree as a mother tongue, so these languages benefit from larger populations elsewhere, whereas Dene languages have either very few or no other speakers outside the NWT.

We can see too that the percentage of people claiming more than one mother tongue (multiple responses) has decreased considerably for all languages from 1986 to 1991. This indicates that fewer children are growing up in homes where two or more languages are being taught equally.

Table I
Number and Percentage of Mother Tongue
NWT - 1986

Languages	Single Response	% of NWT Pop.	Multiple Response	%
English	28,010	53.6%	1,770	3.39%
Inuktitut	14,535	27.8%	730	1.40%
Slavey	2,285	4.4%	220	0.42%
Dogrib	1,885	3.6%	180	0.34%
French	1,290	2.5%	270	0.52%
Chipewyan	480	0.9%	65	0.12%
Gwich'in	165	0.3%	70	0.13%
Cree	155	0.3%	55	0.11%

Note : Based on a population of 52,238 persons
Source : Census 86, Statistics Canada

Table II
Number and Percentage of Mother Tongue
NWT - 1991

Languages	Single Response	% of NWT Pop.	Multiple Response	%
English	31,230	54.4%	1,135	1.98%
Inuktitut	16,565	28.8%	575	1.00%
Slavey	2,310	4.0%	100	0.17%
Dogrib	2,110	3.7%	110	0.19%
French	1,385	2.4%	160	0.28%
Chipewyan	555	1.0%	65	0.11%
Gwich'in	310	0.5%	10	0.02%
Cree	195	0.3%	55	0.10%

Note : Based on a population of 57,430 persons
Source : Census 91, Statistics Canada

ii) Home Language

Tables III and IV refer to the number and percentage of people who speak each Official Language most often in their home. Home language is therefore a better indicator of how much a language is actually being used or preserved. We note here that the percentage of people using English or Inuktitut most often in their homes has increased since 1986. English has the greatest

increase at 3.7% (over 5,000 people), while Inuktitut only saw an increase of .4% (1,430 people). The percentage of people using French as a home language has not changed, and the percentage for all Dene languages and Cree has decreased.

Again, we note that the percentage of homes in which two or more languages are used with the same frequency (multiple responses) has decreased from 1986 to 1991. The percentage of people using English as frequently as another language at home has decreased by 3.14%, probably because many of these homes have begun to use English more frequently, as shown by the increase in English (3.7%) as a single home language.

In 1991, although 54.4% of the population claimed English as a mother tongue (single responses), English is used most frequently at home by 64.7%. English is the only Official Language for which the numbers for home language are higher than those for mother tongue.

For all other languages, the numbers for home language are less than those for mother tongue. We can conclude that there is a definite trend for people who are not learning English first as a child to switch to using English more frequently in their homes in the NWT.

We note that the percentage of people using a Native language as a home language has decreased from 1986 to 1991, except for Inuktitut. Although English only increased .8% as a mother tongue, it increased as a home language by 3.7%. The percentage of people using French as a home language (1.1%) has not changed from 1986 to 1991.

Table III
Number and Percentage of Home Language
NWT - 1986

Languages	Single Response	% of NWT Pop.	Multiple Response	%
English	31,870	61.0%	3,755	7.19%
Inuktitut	12,155	23.3%	1,850	3.54%
Slavey	1,305	2.5%	505	0.97%
Dogrib	1,515	2.9%	480	0.92%
French	570	1.1%	365	0.70%
Chipewyan	270	0.5%	115	0.22%
Gwich'in	45	0.1%	90	0.17%
Cree	30	0.1%	50	0.10%

Note : Based on a population of 52,238 persons
Source : Census 86, Statistics Canada

Table IV
Number and Percentage of Home Language
NWT - 1991

Languages	Single Response	% of NWT Pop.	Multiple Response	%
English	37,185	64.7%	2,325	4.05%
Inuktitut	13,585	23.7%	1,395	2.43%
Slavey	1,300	2.3%	195	0.34%
Dogrib	1,625	2.8%	330	0.57%
French	610	1.1%	140	0.24%
Chipewyan	225	0.4%	80	0.14%
Gwich'in	25	0.04%	10	0.02%
Cree	20	0.03%	20	0.03%

Note : Based on the population of 57,430 persons
Source : Census 91, Statistics Canada

iii) Language Shift

Language shift is measured by comparing the number of people who use a language as a home language to the number who learned it as a mother tongue. If the rate of shift is 75%, for example, it means that three out of four people who learned the language as a mother tongue are now using some other language in their homes. The following figures clearly demonstrate that the shift towards English is pervasive in the NWT, as it is elsewhere in Canada, (although there are some healthy signs for the French language in some parts of Canada. See the 1992 Annual Report of the Commissioner of Official Languages, pg. 16).

The rate of shift toward English is extremely high for Gwich'in (73% in 1986 and 92% in 1991) and for Cree (81% in 1986 and 90% in 1991). Dogrib has a lower rate of shift in both years than any of the other Dene languages (20% in 1986 and 23% in 1991). Inuktitut has the lowest rate of shift of all the Aboriginal Languages in both years (16% in 1986 and 18% in 1991). Those who reported French as a mother tongue are switching to English at a higher rate (56%) than those who reported Slavey, Dogrib or Inuktitut as a mother tongue. The shift for Chipewyan increased from 44% in 1986 to 59% in 1991.

Table V
Rate of Language Shift
NWT - 1986

Languages	Mother tongue	Home language	% of Shift
Inuktitut	14,535	12,155	16%
Dogrib	1,885	1,515	20%
Slavey	2,285	1,305	43%
Chipewyan	480	270	44%
French	1,290	570	56%
Gwich'in	165	45	73%
Cree	155	30	81%
Total	**20,795**	**15,890**	
% / Total Population	**40%**	**30%**	
(52,238 persons)			

Source : Census 86, Statistics Canada
Based on single responses only.

Table VI
Rate of Language Shift
NWT - 1991

Languages	Mother tongue	Home language	% of Shift
Inuktitut	16,565	13,585	18%
Dogrib	2,110	1,625	23%
Slavey	2,310	1,300	44%
French	1,385	610	56%
Chipewyan	555	225	59%
Cree	195	20	90%
Gwich'in	310	25	92%
Total	**23,430**	**17,390**	
% / Total population	**41%**	**30%**	
(57,649 persons)			

Source : Census 91, Statistics Canada
Based on single responses only.

We know then that people in the NWT are switching to using English more in their homes, and that this is happening more for some groups than for others. But another factor than must be considered is how quickly the process of language shift is accelerating. Table VII shows us that this process was happening faster in 1991 than it was in 1986, for all languages except French. However, the rate of shift for French is 56%, as seen in Tables V and VI, which is still very high.

Table VII
Rate of Acceleration of the Language Shift in the NWT
1986 to 1991

Languages	1986	1991	Differences
French	56%	56%	0%
Slavey	43%	44%	1%
Inuktitut	16%	18%	2%
Dogrib	20%	23%	3%
Cree	81%	90%	9%
Chipewyan	44%	59%	15%
Gwich'in	73%	92%	19%

Source : Census 86 & 91, Statistics Canada.
Based on single responses only.

From Table VII, we see that people who claimed Gwich'in as a mother tongue are switching to another home language (presumably English) faster than any other group; the shift accelerated by 19% in five years. In the same period, Chipewyan has experienced a 15% increase in the rate of shift, while Slavey, Dogrib, Inuktitut and Cree have only experienced a slight increase. Although the speed with which this shift is increasing is small for some languages, the actual percentage of shift for each language in 1991 ranges from 18% to 92%, as seen in Table VI, so there is cause for concern within all the language groups.

iv) Ability to Converse

In the 1991 Census a new question was added. People were asked which language(s) they speak well enough to carry on a basic conversation. The numbers exceed the numbers of people reporting each language as a mother tongue. This demonstrates that, although people have not learned these languages as their first language in childhood, they have made some effort to learn to speak the language(s) later in life.

If we compare the number of people who learned each language as a mother tongue with the number of people who now claim to have at least basic conversational skills, we find that the number of people who have learned English is much higher than for any other language. It is worthy of note, however, that out of the 57,430 people in the NWT, over 5,000 reported not being able to speak English or French well enough to carry on a basic conversation.

Table VIII
Comparison Between Mother Tongue and Ability to Speak a Language
NWT - 1991

Languages	Mother Tongue	Able to Speak	Increase
English	31,230	52,345	21,115
French	1,385	3,575	2,190
Inuktitut	16,565	18,005	1,440
Slavey	2,310	2,825	515
Dogrib	2,110	2,385	275
Chipewyan	555	755	200
Cree	195	330	135
Gwich'in	310	310	-

Source : Census 91, Statistics Canada

At the time of the NWT Labour Force Survey in 1989 [6], there were 34,650 people 15 years of age or over in the NWT. This survey provides the following figures for the number of people in this age group able to speak each Official Language well enough to carry on a conversation. It provides a more detailed breakdown based on separate languages and dialects than the Census information above, but refers only to people 15 years of age and over. This table clearly shows the differences for minor dialects. Inuktitut is reported by over 9,000 individuals, but Inuvialuktun and Inuinnaqtun by very few people. Also note that the numbers for North and South Slavey are less than those for Dogrib, but if they were combined, as they often are in language studies, the figure would be higher than that for Dogrib.

Table IX
Ability to Converse
15+, NWT - 1989

Languages	Number of People
English	31,450
Inuktitut	9,263
French	2,457
Other Lgs.	1,562
Dogrib	1,515
South Slavey	1,260
North Slavey	1,055
Chipewyan	692
Inuvialuktun	537
Inuinnaqtun	443
Cree	335
Gwich'in	265

Source : 1989 NWT Labor Force Survey

v) Literacy

Literacy skills include the ability to read and to write. No thorough study of literacy exists for the NWT. This research should be done. A study was recently conducted by the Fédération Franco-TéNOise on French literacy in the NWT, but it is not published. Another study was done for the NWT Literacy Council, but it represents a small sample. GNWT is currently conducting a study on language use in some communities, which will provide useful information, but it is not a detailed study of literacy and fluency.

According to a 1991 report by the GNWT Department of Education [7], the illiteracy rate in English in the NWT is 72% for Aboriginal people, but 7% for the non-Aboriginal population. Inuit people have an 82% illiteracy rate in English, Inuvialuit 70%, Dene 71%, and Metis 41%. These figures are based on using a Grade 9 or less education as the indicator of illiteracy. Of the 35,000 people 15 years of age and over in the NWT in 1989, 44% (15,000) were considered illiterate by this definition. Of this 15,000, 14,000 were Aboriginal people.

But the reverse picture appears when we consider how many Aboriginal people read and write in their own language(s). According to the 1991 Aboriginal Peoples' Survey by Statistics Canada, of the 20,745 Aboriginal people in the NWT 15 years of age and over, 10,225 (49%) reported being able to read an Aboriginal Language. There were 9,085 people 15 years of age and over (44%) who reported being able to write an Aboriginal Language. Of those who indicated literacy skills, the percentage who reported being able to read and write in each Aboriginal Language are shown in Tables X and XI.

Unfortunately, not all the Official Languages are represented, and several Athapaskan languages are lumped together in "Athapaskan Languages not included elsewhere". Despite these missing details, we still gain the same overall picture - that literacy rates are much higher among Inuit in their language than they are for Dene, Metis or Cree people in their languages in the NWT.

Table X
Read an Aboriginal Language
15 +, NWT - 1991
By Languages

Languages	%
Inuktitut	88%
Slavey	5.7%
Dogrib	1.8%
Athapaskan lg. n.i.e.	1.5%
Chipewyan	1.2%
Cree	0.5%

n.i.e.: not included elsewhere
Source: Aboriginal Peoples Survey 1991 Statistics Canada

Table XI
Write an Aboriginal Language
15 +, NWT -1991
By Languages

Languages	%
Inuktitut	90%
Slavey	3.8%
Dogrib	1%
Chipewyan	0.8%
Athapaskan Lg. n.i.e.	0.8%

n.i.e.: not included elsewhere
Source: Aboriginal Peoples Survey 1991, Statistics Canada

One factor that is not considered in any of this data is whether people who read and write Aboriginal Languages know and/or use a syllabic writing system or Roman orthography. All of the NWT Aboriginal Languages have standard writing systems in Roman orthography (a,b,c,...). Inuktitut and Cree also have a standardized syllabic system. An older form of Dene syllabics exists but is only used by elders today. This syllabic system for both Dene and Inuit languages derived from the same system that was developed for Cree and Ojibway in northern Manitoba in the mid-1880's. [8]

People, responding to questions about whether or not they read and write their language, will sometimes indicate that they are not literate, but in fact they are literate in an older system, which is no longer widely used. Literacy rates for Dene languages might be slightly higher if people with ability to read and write syllabics were included.

Rates for literacy (reading and writing) in Aboriginal Languages for the NWT and Canada are compared in Part vii), d) and f), of this chapter.

vi) Official Language and Participation in the Labour Force

At the time of the NWT Labour Force Survey in 1989, there were 34,650 people 15 years of age or over in the NWT; of these, 2,457 were French speaking. They had an 84% participation rate in the labor force, with only a 5% unemployment rate.

Of these individuals 15 years of age and over in the NWT in 1989, 19,611 were Native people. Of these Native people, 83% reported being able to speak English well enough to carry on a conversation, while 75% reported speaking one or more Native Languages. The majority, 59%, speak an Aboriginal Language and English, 24% speak English only, and 16% speak an Aboriginal Language only. Within this group, however, there are great differences by ethnic group as Table XII shows. Note again, the differences between Inuit generally and Inuvialuit as speakers of a minor dialect.

Table XII
Languages Spoken by Native People
15 +, NWT, in Percentage - 1989
By Ethnic Groups

Language(s)	All Native	Inuit	Inuvialuit	Dene	Metis
Native Lg Only	16%	26%	1%	10%	0.1%
Native Lg + English	59%	70%	39%	65%	21%
English Only	24%	4%	60%	25%	79%

Source : NWT Labour Force Survey 1989, GNWT March 1990

The younger members of these groups speak an Aboriginal Language less than the older ones, as seen from the next table, although the difference for Inuit is very small. (It is interesting to note that the same study shows that only 1% of non-Aboriginal people 15 years of age and over speak an Aboriginal Language.)

Table XIII
Languages Spoken by Native People
15 +, NWT, in Percentage - 1989
By Ethnic Group and Age

Group	Speak Abor Lg: 15 and Over	Speak Abor Lg: 15-24
Inuit	96%	94%
Inuvialuit	40%	15%
Dene	75%	62%
Metis	21%	8%

Source: NWT Labour Force Survey 1989

There were 10,990 Aboriginal people 15 and over, in the labour force in 1989 - that is, the week prior to the survey, they were working, seeking work or expecting to work soon. Those who speak only an Aboriginal Language make up the smallest part of the labour force at 32%, compared to 58% for those speaking an Aboriginal Language and English, and 66% for those who speak English only, however, these percentages vary somewhat by ethnic group. Again, note the differences between Inuit and Inuvialuit.

Table XIV
Languages Spoken by Native Labor Force
NWT, in Percentage - 1989
By Ethnic Group

Language(s)	All Native	Inuit	Inuvialuit	Dene	Metis
Native Lg Only	32%	37%	12%	14%	-
Native Lg + English	58%	59%	54%	56%	67%
English Only	66%	59%	63%	64%	70%

Source : NWT Labour Force Survey 1989, GNWT March 1990

Note : Labour Force includes individuals 15 years and over employed or unemployed but looking for work during the week prior to the survey.

Unilingual Aboriginal Language speakers show the lowest interest in obtaining "employment" (43%), compared to those who speak an Aboriginal Language and English (53%), and those who speak English only (67%). In addition, we see from this survey that 61% of the labour force who speak only a native language are employed, while 69% of the labour force who speak an Aboriginal Language and English are employed, and 74% of the labour force who speak only English are employed.

These figures confirm what many parents have said for years - that if their children learn English, they have the best chance of finding a job. Those who learn both English and an Aboriginal Language have the next best chance of finding employment, while those speaking only an Aboriginal Language have the lowest employment rate. However, those who speak only an Aboriginal Language are probably more likely to be involved in traditional activities, which are not considered "employment" for purposes of the Labour Force Survey. If traditional activities were considered as "employment" in labour force studies, those who speak only an Aboriginal Language or an Aboriginal Language and English would undoubtedly show higher rates of employment and interest in employment.

This situation can be changed in two ways - change the language requirements for jobs, or change the language skills of the labour force. In the NWT, where our government has said it is committed to the "preservation, development and enhancement" of Aboriginal Languages, it seems more appropriate to change the employment requirements to allow more individuals who speak only an Aboriginal Language or an Aboriginal Language and English to be employed, rather than to insist that individuals

must speak English as their main language in order to be employed. If we truly want to provide service to the public in more than one Official Language, employment among these groups must increase.

Literacy rates within the labour force also differ by ethnic group. Of the Inuit in the labour force in 1989, 77% could read their language, 74% could write, as opposed to 16% of the Dene labour force who could read, and 11% who could write their language. No figures for Metis were available to us at the time of writing. GNWT has made some effort to assist groups that want to start workplace literacy programs, but much more needs to be done.

vii) Aboriginal Language Comparison - NWT and Canada

We can gain a better picture of the NWT situation by comparing it with the rest of Canada. The following tables show figures for the NWT and Canada on how many individuals claim Aboriginal identity, what percentage of these people aged 5-14 and aged 15 and over speak an Aboriginal Language, never spoke an Aboriginal Language, once spoke but no longer speak an Aboriginal Language, want to (re-)learn their language, can read and/or write in an Aboriginal Language, and from whom these people learned to speak, read and/or write an Aboriginal Language.

a) Speakers

The next few tables show the number and percentage of people, 15 and over and 5-14 years old, claiming Aboriginal identity [9] who reported being able to speak an Aboriginal Language in the NWT and Canada in 1991.

Table XV
Speakers of Aboriginal Languages
15 +, NWT and Canada - 1991

	N.W.T	CANADA
Persons Reporting Aboriginal Identity	20,740	388,900
Persons who speak Aboriginal Languages	15,415	139,375
%	74%	36%

Source : Aboriginal Peoples Survey 1991 , Statistics Canada

From Table XV, we note that a much larger percentage of Aboriginal people in the NWT can speak an Aboriginal Language (74%) than the Canadian average (36%) for Aboriginal peoples. Table XVI shows us that fewer younger people, aged 5-14, speak an Aboriginal Language than the older population. The NWT average is 61% while the Canadian average is 21%. Again, the NWT Aboriginal group speak their language(s) more than the Canadian average.

Table XVI
Speakers of Aboriginal Languages
Aged 5-14 , NWT and Canada - 1991

	N.W.T.	CANADA
Persons Reporting Aboriginal Identity	8,395	148,155
Persons who speak Aboriginal Languages	5,105	31,715
%	61%	21%

Source : Aboriginal Peoples Survey 1991, Statistics Canada

Tables XVII and XVIII illustrate the fact that Inuit speak their language more than Dene or Metis, and that Metis have the lowest percentage of Aboriginal Language speakers. As noted above, the younger population speaks their Aboriginal Language(s) less than the older group. The NWT rates are higher, however, than those for the rest of Canada for each ethnic group.

Table XVII
Speakers of Aboriginal Languages
15+ , NWT and Canada - 1991
By Ethnic Groups

	INDIANS	INUIT	METIS
Persons Reporting Aboriginal Identity NWT	6,220	12,095	2,515
Persons who speak Aboriginal Languages	4,385	10,425	620
% of each group			
N.W.T	70%	86%	25%
Canada	38%	75%	17%

Source : Aboriginal Peoples Survey 1991, Statistics Canada

Table XVIII
Speakers of Aboriginal Languages
Aged 5-14 , NWT and Canada - 1991
By Ethnic Groups

	INDIANS	INUIT	METIS
Persons Reporting Aboriginal Identity NWT	2,170	5,435	815
Persons who speak Aboriginal Languages	830	4,175	105
% of each group			
N.W.T	38%	77%	13%
Canada	22%	67%	5%

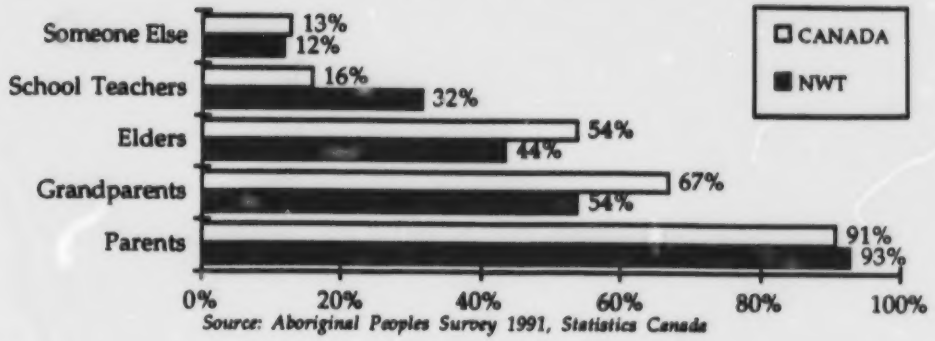
Source : Aboriginal Peoples Survey 1991, Statistics Canada

b) Teachers of Speaking Skills

The following figures show the percentage of speakers of Aboriginal Languages who learned them from parents, grandparents, elders, school teachers, or someone else. They show that a much larger percentage of people aged 5-14 have learned their language from school teachers than for the group 15 and over. This is due to the increase in recent years of Aboriginal Language programs in the schools and to an increased awareness among Aboriginal people of the importance of teaching children their Native Language(s).

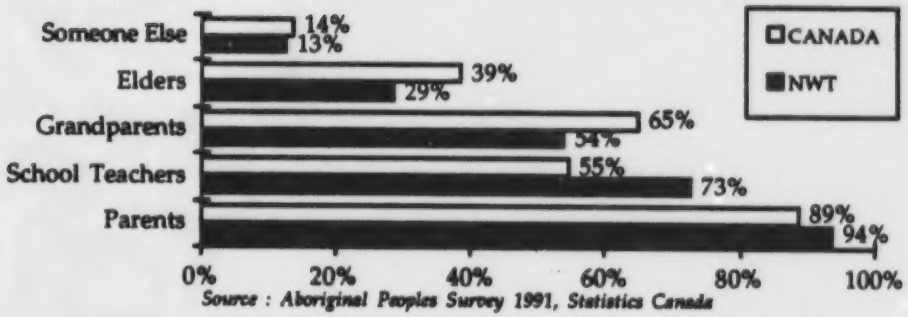
Elders played a more significant role in teaching people over aged 15 their language than with younger people. Elders and grandparents played a larger role in other parts of Canada than in the NWT. The role of parents in teaching Aboriginal Languages is noteworthy. Very large percentages of both older and younger groups reported having learned their language from parents. This confirms the very important role that parents play in preserving Aboriginal Languages.

Figure I
Taught to Speak Aboriginal Language(s)
15+, NWT and Canada - 1991



Source: Aboriginal Peoples Survey 1991, Statistics Canada

Figure II
Taught to Speak Aboriginal Language(s)
Aged 5-14, NWT and Canada - 1991



Source : Aboriginal Peoples Survey 1991, Statistics Canada

c) Non-Speakers and Interest in (Re-)Learning

In the Aboriginal Peoples Survey of 1991, some people reported having never learned an Aboriginal Language, while others said they once knew an Aboriginal Language, but can no longer speak it. The following tables show the number and percentages of people aged 15 and over in each of these categories in the NWT and Canada as a whole, and also the number and percentage of these people who are interested in learning or re-learning their language.

Table XIX
Never Spoke Aboriginal Language(s)
15+, NWT and Canada - 1991

	INDIANS	INUIT	METIS
NWT	(24%) 1,520	(10%) 1,180	(64%) 1,615
CANADA	(52%) 150,210	(21%) 4,545	(74%) 62,055

Of Those

Table XX
Would like to Learn Aboriginal Language(s)
15+, NWT and Canada - 1991

	INDIANS	INUIT	METIS
NWT	(76%) 1,150	(78%) 915	(75%) 1,215
CANADA	(76%) 11,4370	(74%) 3,345	(72%) 44,965

TABLE XXI
No Longer Speak Aboriginal Language(s)
15+, NWT and Canada - 1991

	INDIANS	INUIT	METIS
NWT	(5%) 290	(4%) 425	(10%) 245
CANADA	(6%) 18,585	(3%) 600	(6%) 4,885

Of Those

TABLE XXII
Would Like to Re-Learn Aboriginal Language(s)
15+, NWT and Canada - 1991

	INDIANS	INUIT	METIS
NWT	(90%) 260	(90%) 385	(90%) 220
CANADA	((90%) 16, 640	(89%) 530	(83%) 4,055

Source : Aboriginal Peoples Survey 1991, Statistics Canada
Note : A person could choose more than one answer.
All the respondents reported an identity with an Aboriginal group.

Tables XIX to XXI show that a much larger percentage of Aboriginal people never learned their Aboriginal Language than those who report having once spoken it and lost it. We note that 83% to 90% of the groups who once spoke their Aboriginal Languages would like to re-learn them, while 72% to 78% of those who never spoke them would like to learn them. The interest in learning or re-learning Aboriginal Languages is very high for all ethnic groups in both the NWT and Canada. This indicates the need for Aboriginal Language programs for adults, which is an area that is not sufficiently addressed in the NWT. Most programs that train teachers of Aboriginal Languages are geared to producing teachers for school-aged children, rather than teachers for adult programs. There is also a lack of learning materials for individual or classroom study for adults.

d) Ability to Write

In section v (pg. 23), the definition of being "literate" in English was anything over a Grade 9 education. This definition may work for English or French (although other definitions also exist), because education is usually in English or French for the most part in Canada. On the contrary, it does not work well for Aboriginal Language literacy, since Aboriginal Language literacy is not a criterion for Grade 9 graduation. Instead, the following data reflect people's self-evaluation of their literacy skills in Aboriginal Languages.

Table XXIII shows the relative percentage of people in the NWT and Canada with Aboriginal identity who reported in 1991 being able to write in their Aboriginal Language(s).

Table XXIII
Write an Aboriginal Language(s)
15 +, NWT and CANADA - 1991

	No Persons	% Among Aboriginal
NWT	9,085	44%
CANADA	35,565	9%

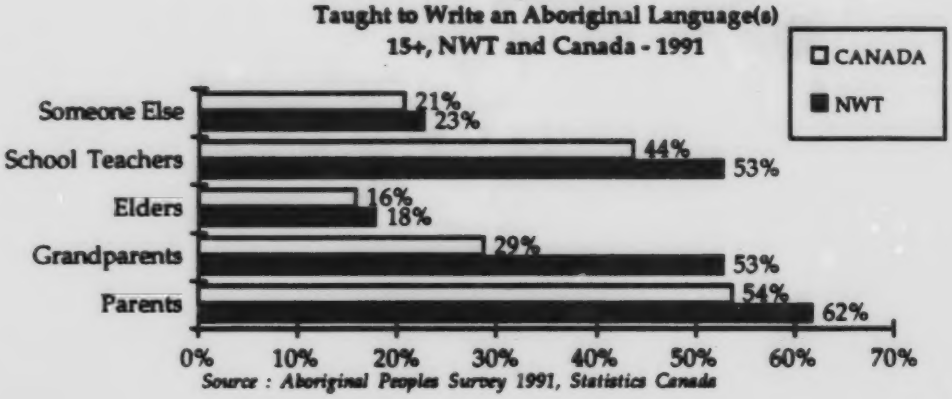
Source : Aboriginal Peoples Survey 1991,Statistics Canada

Here again, we see that the percentages for the NWT are higher than those for Canada as a whole. This figure for the NWT is significantly affected by the large number of Inuit who live in the NWT, and their higher rate of literacy than other Aboriginal groups in Canada and the NWT.

e) Teachers of Writing

Based on the 1991 Aboriginal Peoples Survey, Figure III shows who taught Aboriginal people 15 years of age and over how to write in their language. In general, parents and school teachers have played the largest role in teaching writing. All groups, but especially grandparents, played a larger role in the NWT than in Canada as a whole.

Figure III
Taught to Write an Aboriginal Language(s)
15+, NWT and Canada - 1991



Source : Aboriginal Peoples Survey 1991, Statistics Canada

f) Ability to Read

Table XXIV shows how many people reported in the 1991 Aboriginal Peoples Survey being able to read an Aboriginal Language. The NWT percentage is considerably higher than that for Canada. The percentages of people able to read are slightly higher than those for people who can write their Aboriginal Language as reported above.

Table XXIV
Read an Aboriginal Language(s)
15+, NWT and CANADA - 1991

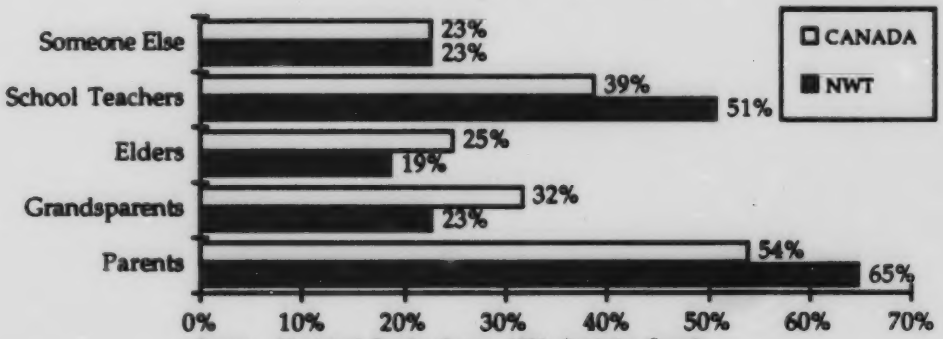
	No Persons	% Among Aboriginal
NWT	10,225	49%
CANADA	50,420	13%

Source : Aboriginal Peoples Survey 1991, Statistics Canada

g) Teachers of Reading

Figure IV shows us that parents and school teachers played the largest role in teaching reading in Aboriginal Languages. The role of grandparents in teaching reading in the NWT appears to be quite a bit less than their role in teaching writing. The role of elders and grandparents in teaching reading is greater for the rest of Canada than for the NWT.

Figure IV
Taught to Read an Aboriginal Language(s)
15+, NWT and Canada - 1991



Source : Aboriginal Peoples Survey 1991, Statistics Canada

h) Trends in Aboriginal Languages

Towards Linguistic Justice for First Nations and *Towards Rebirth of First Nations Languages* [10], two studies released by the Assembly of First Nations in the 1990's, classify the chances of survival of Aboriginal Languages by the number of people who speak, read and write a language, and by differences between older and younger people's language abilities. Their classification is shown below:

State of Language and Criteria for Determining State of Language:

Flourishing: over 80% of all age groups are fluent; many people read & write

Enduring: over 60% of all age groups are fluent

Declining: at least 50% of adults are fluent; fewer young people are fluent

Endangered: less than 50% of adults speak it; few if any young speakers

Critical: less than 10 or no speakers in the community.

Using this scale, the study shows what percentage of Aboriginal Languages in Canada are in each category, based on 171 First Nations surveyed.

Flourishing	12%
Enduring	18%
Declining	28%
Endangered	30%
Critical	11%

Given the current trends, the majority of North American Native Languages will probably disappear within a few decades. In 1951, 87.4% of the Native people of Canada claimed an Aboriginal Language as their mother tongue; in 1981, this proportion was only 29.3%. [11] Our initial calculations using the 1991 census data show this proportion to now be only 19.8%, but this has yet to be verified by Statistics Canada.

Based on another scale presented in 1982 by Michel Foster, formerly an ethnologist with the National Museum, [12] we find the following portrait of chances of survival of NWT Aboriginal Languages using home language figures from the 1991 Census.

Chance of Survival of Languages	Number of Speakers	1991 NWT Languages
Almost extinct	less than 10 speakers	None
Extremely endangered	from 10 to 100 speakers	Cree and Gwich'in
Very endangered	from 100 to 500 speakers	Chipewyan
Endangered	from 500 to 1000 speakers	None
Somewhat endangered	from 1000 to 5000 speakers	Slavey & Dogrib
Excellent chance of survival	over 5000 speakers	Inuktitut

As mentioned earlier, although Cree is extremely endangered in the NWT context, there were about 72,000 speakers of Cree five years of age or older in Canada at the time of the 1991 Census. Along with Inuktitut and Ojibway, it is, according to Foster, one of the Aboriginal Languages of Canada most likely to survive the end of this century. Chipewyan, Slavey and Gwich'in also have speakers outside the NWT, but they are not nearly as numerous as for Cree and Inuktitut. Dogrib does not have speakers anywhere else besides the NWT. Also, if North and South Slavey, Inuvialuktun and Inuinnaqtun are all treated separately, they would be closer to endangered or very endangered. Once again, the collective figures cloud the picture for the minor dialects, and, in the case of Slavey, for separate languages.

Some people think that the learning of Native Languages by children will interfere with their progress in learning English or French. This is not true. Learning their first language well actually contributes to better success in learning another language. An increase in Native Language programs in the schools could, therefore, eventually contribute to greater academic success in English or French language education programs, while maintaining and enhancing Native Language skills.

Further, most Native peoples do not want to replace English and French with their Native languages. They do not expect Canadians to learn all of these languages, although they are certainly very supportive when individuals make the effort to learn their languages. They know the advantages that come with knowing major languages of the world, but they also feel very strongly about maintaining their cultures and languages within our pluralistic Canadian society. What most people want is to be able to use their language in their own regions, and to be able to receive services from governments in their languages basically "where numbers warrant", which is the criterion used to determine where services should be offered to English or French minority populations.

Awareness has increased in recent years about the importance of maintaining language and culture, and Native people are no exception when it comes to seeking respect for their traditions and customs. They are a very significant part of the rich cultural heritage of Canada, and when their languages and cultures are lost, all Canadians lose a part of their own national heritage.

viii) French Language Comparison - NWT and Canada

A lot of statistical information is available about French in Canada. Because of this, we have not included as much detailed information about French in this report as we have for Aboriginal Languages. The following is only a brief sketch.

The situation for French in Canada is quite different from that of Aboriginal Languages. About 24.4% (6.6 million) of the people of Canada claimed French as their mother tongue in 1991, while 23.3% reported using French as a home language. Because Canada has such a large number of francophones, the Federal Government has adopted both English and French as Canada's Official Languages. Despite these large numbers, French is still a minority language in Canada.

a) Distribution of Francophones in Various Regions

One factor that effects the chances of survival of a language is the distribution of the population of its speakers. Quebec is the only province where francophones constitute the large majority of the population, but outside of Quebec, they are a linguistic minority. With 33.6% (223,000) of its population being francophone, New Brunswick is the province outside Quebec with the highest percentage of francophones. However, Ontario is the province outside Quebec with the largest number of francophones - 505,000.

The percentage of francophones in the West and North parts of Canada are very small by comparison. The francophones in the NWT, therefore, are not alone in being a linguistic minority within a region or province. Table XXV shows the relative percentage of francophones in each of the Western provinces and Territories. We note that the percentages are very small in all of these regions.

Table XXV
Francophone Population
By Mother Tongue and Home Language
Western Provinces and Territories, - 1991

	% Mother Tongue	% Home Language
Manitoba	4.7%	2.3%
Saskatchewan	2.2%	0.7%
Alberta	2.3%	0.8%
British Columbia	1.6%	0.4%
Yukon	3.2%	1.4%
Northwest Territories	**2.5%**	**1.6%**

Source : Annual Report 1992, Commissioner of Official Languages, Ottawa.
Note : Multiple responses were divided equally among the languages reported.

In addition, almost 75% of the francophones in the NWT live in four communities (Yellowknife, Iqaluit, Hay River and Fort Smith). The others are widely dispersed, and this isolation of many of its speakers is one factor that can contribute to its diminished use. Some speakers of French in the NWT are more isolated from their language community than speakers of Aboriginal Languages, although there are Aboriginal people, too, who live in

the NWT in isolation from the rest of the speakers of their language or dialect.

b) Trends in French Language

One area of research that has recently been done for the French language concerns the language of children in mixed-language families. At the time of the 1991 Census, there were 1,231,490 spouses in Canada living in mixed-language (English/French) relationships. Statistics show that the children in these families learn the language of their mother more often. In relationships where the mother spoke English and the father spoke French, 75% of the children learned English as their first language. In families where the father spoke English and the mother French, only 60% of the children learned English as their first language.

Another area of research about the French language reveals that the language of the majority population of the region where people live affects which language will become the children's first language. In Quebec, in mixed-language relationships, 49% of the children learned French as their first language, while 34% learned English, and 17% learned both languages. Outside of Quebec, 79% of the children in mixed-language families learned English as their mother tongue, while 13% learned French, and only 8% learned both languages.

No such figures were available to us at the time of writing for the NWT or for Aboriginal Languages. These two factors, however, should be studied in relationship to NWT Official Languages.

Even though the danger of assimilation for francophones in the NWT is somewhat different from that of Aboriginal Languages, French is still a minority language in the NWT and in need of special care. As noted in Table VI of this chapter, the rate of language shift towards English of francophones in the NWT was 56% in 1991, which is a higher rate of assimilation than for some of the Aboriginal Languages. According to Statistics Canada, in the Western provinces and territories, the highest rate of linguistic shift was in British Columbia, followed by Saskatchewan and Alberta. The rate of shift in

the NWT and Yukon were about the same, slightly higher than that of francophones in Manitoba. All of these provinces and territories experienced a shift of over 50%. This language shift is considered to be very significant by the various francophone organizations, such as La Fédération Franco-TéNOise which speaks on behalf of the francophones of the NWT.

One of the priorities of the Fédération Franco-TéNOise is to rebuild fluency and literacy skills and cultural awareness among the francophone population in the NWT. Due to the minority situation of French in the NWT, a definite loss is being experienced in these areas. During the next year, La Fédération Franco-TéNOise will organize a territorial conference on revitalizing French in the NWT.

In recent years, measures taken by both the Federal and Territorial governments have been aimed at stopping the decline of French. Also, since the publication of the report *La Grande Tournée, Les Retrouvailles* in 1988 the Fédération Franco-TéNOise and its members have undertaken a series of activities to encourage the use of French and to diminish the rate of assimilation towards English.

Some people resent the attention paid to French as opposed to that for Aboriginal Languages, but the advances made by francophones can pave the way for many future successes for Aboriginal Languages. Indeed, if any Aboriginal Language were ever to achieve the same numbers for mother tongue or home language as those for French in Canada, they would still face the same problems that French does as a linguistic minority. True, Aboriginal Languages are in much more urgent need of measures that will stop their decline and disappearance, but the francophone population feels the same need to be conscientious about making advances for their language, or they too will see a rapid decline. In the NWT, francophones represent a smaller minority than speakers of some of the Aboriginal Languages.

E. Attitudes about Official Languages

The NWT, like the rest of the world, is made up of various majority and minority groups. This is true whether we look at figures for sex, age, income, ethnic origin, language or any other factor. Competition between minorities is typical human behavior. This competition can be productive when the competing groups learn to benefit from each other's experience. Competition between minority and majority groups is also common, and some portion of the majority population often feels that the minorities are a burden to the society as a whole. However, if we were to try to imagine a world without human differences, or without tolerance and respect for differences, we would soon see the richness that these differences offer in our lives.

In this next section, we examine some of the opinions people have expressed in survey responses, letters, and conversations with the Languages Commissioner this year about Official Languages - opinions of the majority and the minority groups. We see both sides of the coin - positive and negative feelings. Some of the negative feelings are based on misunderstanding or lack of information.

By presenting them here, we hope that the GNWT will become aware of the kind of information people need in order to develop more sensitivity to the needs of linguistic minorities, and we hope that some of the people with negative feelings about Official Languages will come to see the reasons that more tolerance is required. We do not want to fan the flames of dispute between people with different opinions. Instead, we hope that these people can see some of the reasons others feel the way they do, and take reasonable steps to resolve their differences. An information campaign by GNWT about Official Languages would help dispel some of the misconceptions.

The identity of individuals making these comments will remain confidential. In fact, we do not know who made the comments in survey responses because people did not identify themselves. Some people are supportive of all Official Languages, some support only certain Official Languages initiatives, and not others. Some people do not support the use of languages

other than English at all. Here, then, are some of the opinions that have been expressed.

"The usage of 8 languages and financial sponsoring is a disgrace to the hardworking taxpayers of Canada. It may be low in the NWT, but it is wrong to ask for so much money to be spent on such a limited population."

"The NWT has a limited budget. Getting all government documents translated into Aboriginal Languages costs a lot of money. I am in favour of translations into French, as the rest of Canada is doing it. Besides all children and homes watch English TV programs, games, etc, why not teach and encourage English so the young population can cope with the rest of the world when it's time for them to take over the workforce? Let's face it, if your child can speak, write, comprehend English - he's got a better chance of competing with everyone in the world."

"You preserve culture at home; all other ethnic groups do, why is the north any different?"

"If you want French move to France!"

"The question of language protection cannot be solved by officials. Parents, elders, communities and families ensure language retention not laws. Governments need to improve the image of language."

"Much work needs to be done in GNWT if we are to respect the legislated language rights. Funding is not being geared to the need!"

"I see the NWT as predominantly native, whether it be Dene/Inuk/Slavey or Cree. The majority of the NWT population will ALWAYS be native. It makes me sick to see our government dollars and education giving priority to the French speaking culture. They are the Minority and they should be the ones learning the native language, not the other way around. Our young children are losing their native tongue because of our school systems teaching French as a second language to English, and it's been that way for years across

Canada. And you're telling me the government is preserving our Native born heritage/language/culture."

"There are other important needs of the country besides languages i.e. improved social and living conditions, etc."

"I have seen many Inuit parents who speak only English with their kids. All of life is in English in our community, and I believe that more effort should be put into preparing kids for jobs, rather than supporting the culture artificially as is being done now. What culture do we have when 50% of the workforce is unemployed? With the rapid growth of the population the situation only gets worse."

"It's unrealistic to train myriads of people who might possibly one day have a need for one language (hopefully, the one of eight that they learned). Much better to set up a network structure to a central bureau which can handle requests in the volume in which they come. Such a unit would be more convenient and recognizable to indigenous people."

"Sometimes it would be good to be able to say hello, it's a nice day, instead of smiling. Perhaps if we newcomers learned a little, the children would be encouraged to retain and expand their knowledge. Cultures are lost when language is lost."

"Language education should be mandatory in communities which use the language. But it is important to do more than teach them "as a course". They should be taught "as a way of life": i.e. immersion or first-language as appropriate."

"A majority of the people in the Eastern Arctic are Inuktitut speaking, therefore all GNWT programs and services should be available to the public in this language first. Funding for these programs and services should be special as French language funding is."

(Note: The next comment came from a person who lives outside of the region where his/her language is spoken.)
"I would like to see the Official Languages of the NWT promoted more and courses offered on these languages - courses in YK and maybe moving to the regions, therefore making decentralization a little easier. I cannot improve my mother tongue here. I don't have a means to learn to speak it here, therefore I cannot pass it on to my children, therefore, it is not being preserved for my children. If they can learn my native language early enough, I may have a chance of preserving my own mother tongue in the future."

"I've worked in the Baffin area since 1976 and require an interpreter (Inuktitut) at work. I've yet to be offered or allowed to attend an Inuktitut immersion or language course by the government. Rather poor don't you think?"

Footnotes to Chapter 1

1. Robins, R.H. and E.M. Uhlenbeck ed. 1991. Endangered Languages. Berg: Providence, Rhode Is. & Oxford, U.K., pg. 1. A recent CBC Radio program, "Talk, Talk, Talk", (August 29, 1993) stated that there are about 6,000 languages in the world, and 95% will soon be extinct. This was one of a special four-part series on language.

2. *Le Bulletin du Conseil de la langue française*, Fall 1992. Gov't of Quebec, pg. 2.

3. *Ibid.*

4. Robins and Uhlenbeck, pg. 15.

5. McMillan, A. 1988. Native Peoples and Cultures of Canada, pg. 217

6. NWT Labour Force Survey 1989. March 1990. Bureau of Statistics, Government of NWT, Yellowknife.

7. *Literacy: A Profile and Analysis of the Importance of Literacy to the Development of the NWT.* 1991. Department of Education, Government of NWT, Yellowknife. In this report, literacy refers to "the ability of adults to read and write at a level that allows them to be fulfilled and productive members of a society that depends on written communication." The report uses anything over a Grade 9 education as the indicator of literacy.

8. Harper, Kenn. 1983. *Writing Systems and Translation*, in Inuktitut Magazine, No. 53, September 1983, Indian and Northern Affairs Canada, Ottawa.

9. Just over 1,000,000 people in Canada in 1991 reported having Aboriginal origin, (about 4% of Canada's population), but only 626,000 reported currently identifying with an Aboriginal group (North American Indian, Métis or Inuit, and/or were registered under the Indian Act). The figures in this Table only include those 15 years of age and over who reported identifying with an Aboriginal group.

10. *Towards Linguistic Justice for First Nations.* 1990. *Towards Rebirth of First Nations Languages.* 1992. Assembly of First Nations, Ottawa.

11. Burnaby, Barbara. *Speakers of Canadian Aboriginal Languages. Perspectives from the 1981 Census,* in William Cowan,(dir), Actes du dix-septième congrès des algonquinistes, Ottawa, Carleton University, 1986, pg 47.

12 Michael K. Foster. 1982. *"Aboriginal Languages in Canada"*, in *Language and Society,* No 7, Winter/Spring 1982. Office of Commissioner of Official Languages, Ottawa.

CHAPTER 2:
LANGUAGE RIGHTS IN CANADA AND THE BIRTH OF THE *NWT OFFICIAL LANGUAGES ACT*

Language rights in Canada are protected and guaranteed by a number of laws, both international and domestic. The jurisdiction of the Languages Commissioner is limited to matters that arise from the NWT *Official Languages Act* and any other act or regulation relating to the status and use of NWT Official Languages. The following section explains many different sources of language rights and legal rights related to language, so that people can gain a better understanding of where their rights come from and the limits of the Languages Commissioner's jurisdiction.

A. Sources of Language Rights and Legal Rights Related to Language

Universal Declaration of Human Rights
This international covenant provides that all persons are entitled to human rights without discrimination on the basis of language.

Convention on Civil Rights and Political Rights
This international convention provides that linguistic minorities cannot be denied the right to use their own language.

Constitution Act of Canada 1982 and The Charter of Rights and Freedoms
Within Canada, language rights receive protection under the *Constitution Act*, or what was formerly known as the *British North America Act* 1867. That Act, in recognizing "the two founding nations" philosophy of the English and French settlers, provides that either English or French may be used in the House of Commons and Senate, and in the Quebec Legislature.

It also requires that both languages be used in the records and journals of the House of Commons and the Quebec Legislature. It guarantees equal authority and status of French and English in Quebec and Federal Courts, and contains guarantees for minority language education in English or French.

When the Canadian *Constitution* was repatriated to Canada in 1982, a *Charter of Rights and Freedoms* was added. The *Charter* makes French and English the "Official Languages of Canada", and confers upon them equal status in "all institutions of the Parliament and government of Canada" (Section 16). Among other things, it imposes an obligation on these institutions to provide bilingual services to the public where certain conditions are met.

Section 14 of the *Charter* also guarantees all parties in court proceedings the assistance of an interpreter, no matter what language they speak, and Section 19(1) provides for the use of French and English in court proceedings. The *Charter* also guarantees, in Section 23, French and English minority language education rights, where certain conditions are met.

Official Languages Act of Canada

Canada adopted the federal *Official Languages Act* in 1969. It made English and French the Official Languages of Canada, while "recognizing the importance of preserving and enhancing the use of languages other than English and French". It is designed to make the federal public service equally accessible to French and English speakers, by instituting a program of language equality. It provides for bilingual services to the public, the use of either English or French as a language of work by employees, and equitable participation of anglophones and francophones in employment with the federal public service. Major changes were made to this Act in 1988. Regulations for this Act were registered in December 1991 after lengthy public consultations, and come into effect over the next few years. For example, services to the public in NWT Federal Government offices must be available in Yellowknife and Iqaluit as of December 1993.

This Act applies in federal government institutions. In addition, New Brunswick has adopted their own *Official Languages Act* making French and English Official Languages in their provincial government institutions. In Quebec, French is the official language of the province and in the NWT French, English and Aboriginal Languages are Official Languages. The Yukon adopted a *Languages Act* in 1988, making certain provisions for the use of French and Aboriginal Languages, but they avoided the use of the word "Official".

Criminal Code

The *Criminal Code* also grants certain rights related to language. While these rights are viewed as legal rights rather than language rights, because they relate to the fairness provisions of a criminal trial, they apply equally to persons who speak English, French or any other language. Some of these provisions deal with the right to counsel and the right to be informed of any charge being laid, presumably in a language the accused understands. Also, an accused has the right to choose to be tried in English or French, and has certain rights about using either Official Language in courts and related proceedings. Some rights relate to the use of Official Languages in documents.

The NWT Languages Commissioner does not have jurisdiction over matters that relate to language rights or legal rights that flow from any of the above-mentioned pieces of legislation, unless they are incorporated into NWT legislation. When violations relating to these laws appear to occur, the individual or group must turn to someone other than the NWT Languages Commissioner for assistance - for example, to the Federal Commissioner of Official Languages, if the matter relates to the Federal *Official Languages Act*, or to an appeal court, if the matter relates to the *Criminal Code*.

B. The Birth of the NWT *Official Languages Act*

In 1984, the federal government proposed an amendment to the *Northwest Territories Act* (a federal act which serves as the constitution of the NWT), which would make English and French the Official Languages of the NWT. Instead of accepting this imposition from the federal government, and out of concern for the NWT Aboriginal Languages, the NWT Legislature passed its own *Official Languages Act*, making English and French "official languages" but also designating seven "official aboriginal languages" – Chipewyan, Cree, Dogrib, Loucheux (now called Gwich'in), Inuktitut, North Slavey and South Slavey.

In order to protect the rights granted by the NWT *Official Languages Act*, the *Northwest Territories Act* contains a provision that prevents the NWT from changing its own *Official Languages Act* to eliminate or diminish language

services and programs without the consent of the federal government. The NWT can, however, increase services and programs without federal consent, as the NWT *Official Languages Act* reiterates.

In 1989, the Legislative Assembly appointed the Special Committee on Aboriginal Languages. In April 1990, in response to this committee's recommendations, the NWT Legislative Assembly amended the NWT *Official Languages Act* to give "Official Language" status to English, French, Chipewyan, Cree, Dogrib, Gwich'in, Inuktitut, and Slavey. The Interpretation Section explains that "Inuktitut includes Inuinnaqtun and Inuvialuktun" and "Slavey includes North and South Slavey". This means that although there are eight Official Languages named in the Act, there are actually eleven different official language groups, including all dialects of these languages.

The 1990 amendments to the NWT *Official Languages Act* also included some clauses which further clarify the rights and privileges related to Aboriginal Languages and French. To date, no Regulations have been made for the Act.

The 1990 amendments also created the position of Languages Commissioner for the NWT, and the first appointment was made in December 1991. The Office of the Languages Commissioner was opened in February 1992. This office is discussed in Chapter 4.

C. Language Services and Programs Prior to the Passing of the NWT *Official Languages Act*

The following is a very brief outline of some of the activities related to language programs and services before and after 1984. It is not intended to be all-inclusive.

Prior to 1984, when the Government of the NWT passed its first *Official Languages Act*, the provision of programs and services in languages other than English was done on an arbitrary basis when it was absolutely essential, such as when witnesses testified in court or unilingual MLAs were elected to the Legislative Assembly. (The governing body for the NWT, the NWT

Council, was located in Ottawa until 1967. The first Inuk member was Simonie Michael in 1966). The government did not make a concerted effort in these early years to communicate information to the public in any language other than English.

The Interpreter Corps was established in the early 1970's to provide interpretation and translation services for the GNWT and the courts as required. This service expanded rapidly, and soon became essential in areas such as the Legislative Assembly, especially with the election of more unilingual Inuit members to the House. No unilingual Dene Language speaker or French unilingual has ever been elected as an MLA, so Dene and French language services to the Legislative Assembly were only added after the passing of the NWT *Official Languages Act.*

Committees such as the Dene Languages Steering Committee were providing advice to the GNWT during the early 1980's. Prior to 1984, the GNWT provided for the development and use of Aboriginal Languages through such funds as the Indigenous Language Development Fund (ILDF).

Around 1970, the schools started to offer courses in Aboriginal Languages. French courses were started in the mid-70's due to the signing of the first agreement called "The Federal-Provincial Programs for Official Languages in Education 1974-75 to 1978-79". These agreements, now referred to as the *Canada-NWT Agreement on Minority Language Education and Second Language Instruction,* are ongoing. In these agreements, the Federal Government agreed to pay the additional costs that the GNWT incurs in providing French first language education and French second language instruction.

The *Education Act* was amended in 1976, to give the local education committee or council the authority to choose the language of instruction from Kindergarten to Grade 2, and made other provisions for language teaching. The Act was amended again in 1983, and many schools have begun to offer Kindergarten to Grade 3 in a Native Language where there are enough trained, fluent Aboriginal teachers.

D. Language Services and Programs Since the Passing of the NWT *Official Languages Act*

With the passing of the NWT *Official Languages Act*, the GNWT began negotiations with the federal government (Secretary of State) for funding for Aboriginal Languages and French programs and services. This resulted in the first *Canada-NWT Cooperation Agreement* signed in June 1984, in which the Government of Canada agreed to pay for specific French and Aboriginal Languages activities.

They agreed to pay "all the costs involved with provision of services to the public in French and the cost involved with the implementation of French as an official language in the NWT as required by the *Official Languages Ordinance* on an ongoing basis from year to year." Under this agreement, a special study was done by Michel Bastarache in 1986 and 1987 on the implementation of French as an Official Language, and the Fédération Franco-TéNOise conducted a Territorial-wide study resulting in a report called *"La Grande Tournée, Les Retrouvailles"* in 1988.

For Aboriginal Languages, this first agreement provided $16 million over five years (1984-89).[1] The funds were to be used for activities that "preserve, develop and enhance" Aboriginal Languages.[2] This agreement was amended several times, and actually extended until March 1991. A Task Force on Aboriginal Languages was struck in 1985 to consult with communities about services and programs in Aboriginal Languages. They presented their report and recommendations to the Assembly in February, 1986.

In the 1986 *GNWT Response to the Task Force on Aboriginal Languages*, the Department of Culture and Communications was given the task of coordinating Official Languages activities and administering the *Canada-NWT Cooperation Agreement on Aboriginal Languages* and the agreements for French language services. This created some problems, because some departments did not feel obligated to respond to another department when information was requested or when direction on implementing Official Languages was provided. This situation was rectified after the end of the 1992-93 fiscal year.[3]

In 1991, another agreement was signed with Secretary of State, which included funding for both French and Aboriginal Languages in the same agreement. This agreement provided $18 million dollars for Aboriginal Languages over three years (1991-94), and $12.8 million for French. In addition, the Agreement for French education and instruction as mentioned in part C is on-going. For a detailed analysis of these agreements and expenditures, see Chapter 6.

Numerous positions with specific responsibility for Official Languages have been created within GNWT in the last few years, such as Official Languages Policy Officers, a Director and Advisors for Official Languages. Services and programs have increased. Language Coordinators in each department and some agencies were designated after a Project Officer responsible for French was appointed in 1986. These Language Coordinators currently deal with French and Aboriginal Languages, however, they are not necessarily in positions specifically responsible for Official Languages. They simply play a coordination and liaison role for Official Language initiatives in their departments. They are not compensated financially for this additional duty, although this has been discussed.

The GNWT has not developed regulations or guidelines on the implementation of Official Languages. The only policies we are aware of are the sign policy, which designates which languages should be used on signs in each NWT community, and the Bilingual Bonus policy, which provides for a $1200 annual allowance to employees who use more than one Official Language on the job in addition to their regular job duties. GNWT is currently assessing the demand for and availability of language services, and plans to begin work on guidelines in the near future. This is discussed further in Chapter 3.

Footnotes to Chapter 2

1. The funding received from Secretary of State is often referred to as "Vote 4" money, as opposed to "Vote 1", which is money that flows from the GNWT's budget.

2. The definition of these terms is not entirely clear. In the *Evaluation of Canada-NWT Contributions Agreement on Aboriginal Languages* done by E.T. Jackson and Associates in March 1991, some discussion is included in pages 3-3 to 3-7 about which types of activities fit into these definitions. The GNWT is also currently working on more clearly defining these terms.

3. The mandate for overseeing Official Languages implementation within GNWT and its institutions was transferred to the Department of Executive, with the creation of the Official Languages Unit, in June 1993. This will perhaps resolve some of the problems that GNWT encountered when Culture and Communications was responsible, since the Executive is a more appropriate department to provide direction to other departments on such initiatives.

   The mandate of the Official Languages Unit is to coordinate the implementation and delivery of Official Languages services and programs to ensure all obligations under the *Official Languages Act* are met, to establish priorities and guidelines, to undertake negotiations with Secretary of State for funding, to monitor and evaluate these agreements, to coordinate responses to inquiries from the Languages Commissioner and other organizations, and to respond to reports and recommendations from conferences or other groups involved in Official Languages activities.

CHAPTER 3:
DISCUSSION OF THE NWT *OFFICIAL LANGUAGES ACT*

A. French and English Versions of the Act

The NWT *Official Languages Act* of 1984 was based largely on the Federal *Official Languages Act* of 1969. The federal Act was substantially revised in 1988, but the NWT *Official Languages Act* did not take account of all of these changes when it was amended in 1990. The Languages Commissioner has done a comparison of the new Federal *Official Languages Act* and the NWT *Official Languages Act*, and reviewed both the English and French versions of both *Official Languages Acts*. The Languages Commissioner feels that there are some differences in meaning between the French and English versions of the NWT *Official Languages Act*, which necessitate some changes to the wording of the Act. These concerns are currently being discussed with the Department of Justice and any changes required will be brought to the attention of the Legislative Assembly. Minor housekeeping changes will be brought forward in 1993, but some other changes will require more time and discussion.

The following is a brief discussion of some of the principles expressed in the Act and some sections about which questions have been raised this year.

B. The Preamble

The preamble determines, to some extent, the spirit and intent of the *Official Languages Act*. It states that the government is "committed to the preservation, development and enhancement of the aboriginal languages" and that they wish "to provide in law for the use of aboriginal languages in the Territories including the use of aboriginal languages for all or any of the official purposes of the Territories at the time and in the manner that is appropriate." Further, it states that English and French should be established as "the Official Languages of the Territories having equality of status and equal rights and privileges".

The Languages Commissioner has the duty to investigate complaints arising under the *Official Languages Act* or from any act or regulation relating to the status and use of Official Languages. Some complaints that have arisen this year deal more with the spirit and intent of the Act than with any specific provision. Basically, the Languages Commissioner has interpreted the spirit and intent of the Act as providing for services and programs to be delivered in such a way as to promote and advance all of the Official Languages.

C. Equality

Several parts of the *Official Languages Act* make reference to the "equality of status" of all the Official Languages. Two very important principles must be explained here. First, equality does not mean treating everyone the same. Equality is basically about fairness - persons who are equal should be treated the same way, but unequals should be treated differently, in proportion to their differences. This is clearly stated in the words of one American Justice: "It was a wise man who said that there is no greater inequality than the equal treatment of unequals."[1]

Secondly, equality of persons and equality of languages are two different things, and different approaches are required. Equality of persons is related to human rights and these principles do not derive from the *Official Languages Act*, whereas equality of languages does derive from this Act.

Section 8(1) states that the all the Official Languages of the NWT have "equality of status and equal rights and privileges" but only "to the extent and in the manner provided in this Act and any regulations under this Act". Since no regulations have been enacted under this Act, all the language rights are described in the Act itself.

The Act makes very specific provisions for the use of each language in certain government institutions and in the courts. The provisions for English and French are different from those for Aboriginal Languages.

For example, the Act requires that all legislation be available in English and French, whereas for Aboriginal Languages, Acts can be translated, after

enactment, only on the recommendation of the Executive Council and the Commissioner. Why the difference? If we consider that very few people read and write in Dene languages, it is reasonable to assume that the translation of all Acts into Dene languages would be an enormous effort that would not provide a necessary service to the public. It would probably occupy all the Dene translators for several years, while other more urgent work would not be done.

Section 14 provides that services should be available in French from "head or central offices" of the GNWT, while Aboriginal Language services should be available from "regional, area and community offices". This difference in the application of the law is geared to providing services where they are most needed, instead of committing resources equally for all languages in all communities when they would not be useful.

One inquiry received this year was why there appears to be more funding for French than for Aboriginal Languages if the languages are all supposed to be equal. One explanation is that there are great differences in the services and programs required under the *Official Languages Act* for French and for Aboriginal Languages, so the funding is different.

Also, some of the money for French is given to the GNWT to meet obligations that do not derive from the NWT *Official Languages Act*. For example, money for French language education is given to the GNWT to meet its obligation under the *Charter of Rights and Freedoms*. This is an obligation that applies across Canada, whereas the obligations under the NWT *Official Languages Act* only apply in the NWT. Since Aboriginal Languages are not national Official Languages, like English and French, these provisions of the *Charter* do not apply to Aboriginal Language education.[2]

Further, the GNWT does contribute funds to Aboriginal Languages and to French in addition to monies provided by the federal government. Unfortunately, the GNWT was not able to provide exact estimates of monies contributed to language programs and services, partially due to the fact that the value of indirect support services is difficult to calculate. For example, it is not easy to calculate how much time is spent on Official Languages work by

staff whose jobs are not specifically designated as Official Languages positions. In the *Evaluation of the Canada-NWT Contributions Agreements on Aboriginal Languages*, March 1991, the GNWT did report spending $13,375,827 on Aboriginal Language programs from 1985 to 1990, while Secretary of State contributed $12,423,491. Without complete figures however, it is impossible to compare the actual amounts spent for each language.

For a more detailed discussion of Secretary of State funding for Aboriginal Languages and French, see Chapter 6.

D. Equal Rights and Privileges

The *Official Languages Act* says that the Official Languages have "equal rights and privileges as to their use in all institutions of the Legislative Assembly and Government of the Territories". The interpretation of language rights and privileges is a difficult task. Many cases have come before the courts which have helped us to understand the scope of existing laws. In general, language rights are considered to be more "political rights", as opposed to "legal rights", and often, the courts hesitate to define language rights, leaving this task of clarification to the politicians. If the legislation passed by politicians does not clearly define what is meant by these rights and privileges, the courts do not have a firm basis upon which to decide what they mean.

It is important to understand the difference between rights and privileges, as they can be very different. A right is something that a person can do, or that a person can force someone to do for them. The NWT *Official Languages Act*, for example, grants the right to use any Official Language in court proceedings and in the debates of the Legislative Assembly, and the GNWT has an obligation to make services available to allow people to exercise this right.

A privilege, on the other hand, is something that a person can do as long as the person with authority allows them to do it. The person in authority has discretion over whether or not to grant a privilege. If the person in authority does not meet the individual's demand, there is no legal remedy to the

dispute. However, if the individual can demonstrate that it is reasonable to expect the service or program, then the authority might be persuaded to comply. An example of a privilege would be the government allowing a person to choose their own interpreter when they have a right to interpretation. The government has an obligation to provide interpreters in certain cases, but they do not have an obligation to allow a person to choose their interpreter.

E. Equality, Equal Rights and Privileges and Language of Work

When we look at the provisions for equality and equal rights and privileges in the NWT *Official Languages Act*, we must ask to whom these provisions apply. There is no doubt that they apply to the government in their dealings with the public. But do these provisions also apply to dealings between the government and its employees?

The federal *Official Languages Act* contains very specific clauses relating to the use of Official Languages in dealings with the public; so does the NWT *Official Languages Act*. But the federal Act also contains specific provisions relating to the use of Official Languages by employees as their language of work, whereas the NWT *Official Languages Act* does not.

The Preamble of the NWT *Official Languages Act* states that "all linguistic groups in the Territories, without regard to their first language learned" should "have equal opportunities to obtain employment and participate in the institutions of the Legislative Assembly and GNWT, with due regard to the principle of selection of personnel according to merit". Is the intent here that people who do not necessarily speak English can be employed by the government?

The Languages Commissioner is of the opinion that the combined wording of the Preamble and Section 8(1), dealing with "equality of status and equal rights and privileges", creates the framework for the Legislative Assembly to amend the Act to clearly provide for employees to use any Official Language as a language of work, if they wish to do so. If the Legislative Assembly were to decide that some provisions should be made, new clauses would have to be

added to the Act to determine to what extent and in what manner Official Languages could be used by employees on the job.

This issue should be considered carefully. The Languages Commissioner is aware of the difficulties this might create for the GNWT, but it is a fact that some employees of the GNWT do not speak English, some do not speak it well, some prefer to communicate in a language other than English, and that some of these employees have been working for the GNWT for many years. The GNWT, however, could not provide the Languages Commissioner with exact information on the number of employees who do not speak English, although the Government Human Resource System suggests that it is over 100 individuals.[3] The Department of Personnel is currently updating their data on employees' language abilities and changing their data base to allow them to extract more detailed information.

If the Legislative Assembly decides not to amend the *Official Languages Act* to allow employees their choice of Official Language as language of work, there should be some provision made in policy, or in the Collective Agreement, or in some other vehicle, for GNWT employees who do not speak English. This could include making the required information and services to employees available on demand, rather than providing them across the board when they may never be requested.

As stated above, the federal *Official Languages Act* has specific provisions regarding language of work. In his first *Annual Report* in 1971, the Commissioner of Official Languages of Canada stated that "it would be a dereliction of the 'duty' imposed on the Commissioner by Section 25 not to uphold this equality in regard to 'use' of either language 'in' such institutions by federal employees as well as by members of the public." Section 25 of the 1969 *Official Languages Act* of Canada is equivalent to Section 20(1) of the NWT *Official Languages Act*, which imposes this same duty on the NWT Languages Commissioner. That "duty" is "to take all actions and measures within the authority of the Languages Commissioner with a view to ensuring recognition of the rights, status and privileges of each of the Official Languages and compliance with the spirit and intent of this Act in the administration of the affairs of government institutions". In keeping with

this duty, the Languages Commissioner is bringing this issue to the attention of the Legislative Assembly for clarification.

F. Institutions of the GNWT and Legislative Assembly

Section 8 of the NWT *Official Languages Act* states that the Act applies to the institutions of the GNWT and Legislative Assembly. In order to clarify the application of the Act, a list should be made of institutions to which the *Official Languages Act* applies. This should probably be done by way of regulation. It is not clear at the moment whether or not the *Official Languages Act* applies to certain agencies, boards, tribunals and other bodies. In all fairness to these bodies, they should be made aware of their obligations, and the public should also be aware of which bodies should be providing services and programs in Official Languages.

Because GNWT has not yet clarified which institutions have obligations under the Act, the Languages Commissioner has not assessed the implementation of the Act by such institutions. In the new year, this is one activity that is planned for the Languages Commissioner's office.

Another issue that requires clarification is how these institutions should report to the Languages Commissioner. For the time being, GNWT has insisted that these institutions should communicate with the Languages Commissioner's office only through the Deputy Minister of the department responsible. For example, Education Boards should report through the Deputy Minister of Education, Culture and Employment, and Health Boards through the Deputy Minister of Health and Social Services. With the increase in autonomy of such bodies, this arrangement should be reviewed from time to time.

In addition, if a dispute arises between a Board and a Department, the Board would no doubt prefer to communicate directly with the Languages Commissioner for the purpose of the investigation. If the dispute is the cause of some Official Language program or service not being delivered effectively, then the Languages Commissioner has a duty to investigate.

Another question that has arisen this year is "What Official Languages obligations do non-government bodies have when they deliver a service or a program on behalf of GNWT?" Again, the Act is silent in this regard, except to say that "a municipality or settlement or the council of a municipality or settlement shall not be construed to be an institution of the Legislative Assembly or Government of the Northwest Territories". But if the council, or some other body or organization, is contracted to offer a service on behalf of GNWT, should there be any obligation under the *Official Languages Act*? This should be clearly stated in the Act, and any contract should also clearly state this if the Legislative Assembly decides that contractors providing a service or program on behalf of GNWT or any of its institutions should have obligations under the Act. This is particularly important in light of the fact that GNWT is moving more and more towards privatization and the transfer of programs to community governments and native organizations established under land claims agreements.

The federal *Official Languages Act* can, again, be consulted to determine how this should be clarified if the Legislative Assembly should decide to extend the Act to include such provisions.

G. Instruments in Writing Directed to or Intended for the Public

For the purposes of Section 11, the definition of "instruments in writing directed to or intended for the public" is not clear to most people, as indicated by several complaints and inquiries this year regarding this clause. People asked, for example, whether this applies to job advertisements, notices of tender, calls for proposals, proclamations of Territorial celebrations, traffic tickets, and so on. Although the definition may be a legal issue, and not necessarily appropriate for designation by regulation, some form of clarification is necessary. However, this section does say that the use of Aboriginal Languages for promulgating such instruments should be designated by regulation. No regulations exist yet, so any instruments in writing promulgated in Aboriginal Languages are done on an ad hoc basis.

There have been a number of inquiries made this year by the public and government employees regarding the use of either French or Aboriginal

Languages in such instruments. There have also been questions raised as to what are the most appropriate methods for notifying the public in each Official Language. For some languages, written communications are suitable, but for others, oral communication is preferred. People have also asked which newspapers and radio stations and other media should be used for such communications. This is not clearly stated anywhere.

H. Use of Official Languages in Courts

A number of complaints and inquiries this year focussed on the use of Official Languages in courts. Sections 12 and 13 of the Act deal with courts. There are different provisions for French and English than for the Aboriginal Languages.

Section 12 states that any of the NWT Official Languages may be used in any court, but English or French may also be used "in any pleading in or process issuing from any court". Section 28 of the Act suggests that regulations may be made to implement Section 12. Some policy decisions are also required, regardless of whether or not regulations are enacted regarding this section. Numerous court decisions from other jurisdictions are useful in determining how these provisions should be interpreted in the NWT, since a number of other pieces of legislation in Canada contain similar provisions. However, the GNWT may wish to implement these provisions in a different manner than in other regions. At the moment, there are many questions to be answered in this area.

Section 12(3) says that simultaneous interpretation may be made available in courts where the judge decides that the proceedings are "of general public interest or importance" or where she or he decides it is desirable. The judge makes the decision in each case. Some court rules and guidelines exist regarding the use of interpreters in courts, but some questions still remain. The Department of Justice is working towards resolving these matters, but judicial discretion cannot be limited when certain decisions are made. The Languages Commissioner would like to see the judiciary establish their own guidelines for implementing these sections, where applicable, so that some

consistency develops. Preferably, this should be done in consultation with the Department of Justice.

Section 13 refers to "all final decisions, orders and judgments, including any reasons given for them". They must be issued in both English and French if they are important decisions or if the proceedings "were conducted in whole or in part in both English and French". Apparently this does not include proceedings which are conducted in English or French with the assistance of an interpreter for the benefit of parties who do not understand English or French. Instead, this section refers to proceedings where the judge, lawyers, and or parties use both English and French without an interpreter. This latter clause therefore applies to very few cases in the NWT. Again, judicial discretion applies, but some guidelines on what are "important decisions" would be useful.

Sections 13(4) and (5) come into effect December 31, 1993. These are the only sections of the Act that are not yet in effect. Section 13(4) states that tape recordings of final decisions, orders and judgments must be made in at least one of the Aboriginal Languages, and must be made available to any person if they make a "reasonable request", if it is "practicable" to make the tape available, if it is an "important" decision or of "general public interest", and if it will "advance the general public knowledge of the decision". Some policy decisions are required regarding the implementation of this section, and the Languages Commissioner has already recommended to Justice that they be prepared before its coming into effect. If the cost to individuals of obtaining such tapes is prohibitive, then the section will be ineffective.

I. Section 14 - Service to the Public

Section 14(2) on services to the public in Aboriginal Languages came into effect at the end of 1992. Despite the Languages Commissioner encouraging the GNWT to do a press release to inform the public and its employees that this new clause was now in effect, the GNWT decided not to announce the coming into force of this section. This was not an encouraging sign. Official Languages are supposed to be a priority of this government, yet, when a long

awaited service to the public became available, the GNWT chose not to inform them.

Since GNWT had not produced any public information about the *Official Languages Act* either, the Languages Commissioner had prepared a brochure which GNWT had agreed to translate. GNWT suggested that the Languages Commissioner do a press release about Section 14(2) when the brochure was released. This brochure was ready in January, but it has been delayed for several months, since GNWT thought it was too difficult for translation and should be rewritten. They offered to re-write it. To date, the brochure has not been completed and no press release has been issued by GNWT or the Languages Commissioner announcing the coming into effect of Section 14(2).

Some employees called the Languages Commissioner during the weeks after Section 14(2) came into effect to see if there were any guidelines for managers and employees to use in determining when and how Aboriginal Languages services should be made available. Some complained that they had asked for guidelines and were told there were none. Indeed, no guidelines had been issued, and to date, they still do not exist. Section 14(1) regarding services to the public in French has been in effect since 1990, but no guidelines exist yet in this area either. The Languages Commissioner has told employees to contact their Deputy Ministers and the Official Languages Unit for clarification in this area.

For the purposes of this section, the Languages Commissioner has also pressed GNWT to come up with some working definitions for "significant demand" and "nature of the office", and to provide a list of which offices are categorized as "head, central, regional, area and community offices". We have also asked how offices will be categorized if there is only one office in the NWT offering a service or a program on a territorial-wide basis.

At the moment, the sign policy of GNWT is the only policy that can provide some guidance about the languages in which services should be available in each community. This policy indicates the languages to be used on signs in each community, and, in the absence of more detailed policy, could be used as

a guideline for determining the languages in which services should be available.

With regard to this policy, we have suggested that all Official Languages should be used on signs in Yellowknife, as it is the capital, and serves the entire NWT. GNWT has not accepted this suggestion, however, and continues to use only some of the languages on signs in Yellowknife, except for the Laing Building, where an exterior sign bearing only some of the Official Languages was replaced by a sign bearing all of the Official Languages, after numerous complaints were received.

Another issue that has not been addressed is services to the travelling public. Since most transportation in the NWT is by plane, airports are frequented by people who speak a variety of Official Languages. Some airports are, however, federally operated, which means that the NWT *Official Languages Act* does not apply in these facilities. In airports operated by the GNWT, however, the Act does apply. The question that has been raised to the Languages Commissioner is whether or not services should be available in such facilities for people who come in regularly from another region, and who do not speak one of the Official Languages designated for use on signs in that region (and, that will, presumably, eventually be designated as the languages in which services should be available). Since the *Official Languages Act* is silent in this regard, MLA's might wish to address this issue.

GNWT has indicated that they are conducting a major review of demand for services in Official Languages in all of their offices, and a review of the language capabilities of its employees. When this information is available, sometime in 1993, the GNWT plans to draft some guidelines on service to the public. Section 28 of the Act, however, suggests that GNWT should create regulations for Section 14(2) on services to the public, so the Languages Commissioner will continue to press for this and will continue to try to work closely with GNWT in the development of any guidelines, policies or regulations.

J. Languages Commissioner's Consultations and Authority

According to Section 20(3) of the *Official Languages Act*, the Languages Commissioner is required to "meet not less than once a year with the representatives of such organizations as may be prescribed". Since there are no regulations prescribing which organizations are intended, the Languages Commissioner has met with as many organizations, groups and individuals as possible in the first year. However, to ensure that certain organizations are not omitted, it would be beneficial to have these organizations listed in regulation.

As recommended by the Legislative Assembly, the Languages Commissioner is attempting to establish an Advisory Council for the purpose of consultations. This is discussed further in Chapter 4. The discussion paper distributed to over 100 groups and organizations is found in the Appendix. It contains many questions to be answered, including whether or not a new body is required, or if some existing body or bodies can serve this function.

In addition, the Languages Commissioner's authority with regard to obtaining documents and information for the purpose of investigations under Sections 20 to 22 of the Act needs to be clarified. Sometimes the Languages Commissioner has been told that information is not available to her because it is not "public". Should the Languages Commissioner be treated the same as the public with regard to these requests, or should some special powers exist? The federal *Official Languages Act* includes very specific provisions regarding the powers of the Commissioner of Official Languages. The NWT *Official Languages Act* makes reference to the authority of the Languages Commissioner, but does not explain this authority.

Another area of research involves identifying which other NWT acts and regulations, besides the *Official Languages Act*, relate "to the status and use of Official Languages". Since the Languages Commissioner has a duty to investigate complaints arising from any such acts or regulations, we are currently reviewing all legislation to determine the extent of this area of jurisdiction.

K. Regulations, Policies or Operational Guidelines

The NWT *Official Languages Act* makes reference to regulations in several places. So far, however, no regulations have been made for this Act, although it has existed since 1984. The Languages Commissioner has met several times with the GNWT to encourage them to draft some regulations. She has provided them with the regulations for the Federal *Official Languages Act*, and is obtaining information from the federal Treasury Board on Official Languages guidelines and policies implemented before the federal regulations were adopted. Discussions with GNWT on this topic are ongoing.

Regulations form part of an Act and clarify how an Act is to be applied. Regulations are not debated or approved by the Legislative Assembly. Instead, the Executive Council makes or changes regulations when they feel it is necessary. Both the Task Force on Aboriginal Languages and the Special Committee on Aboriginal Languages suggested that any changes to the *Official Languages Act* should be made through amendments to the Act, and "not left to regulation or policy". They felt that regulations and policies are not strong enough to protect the language rights the Assembly has granted or will grant.

However, the Languages Commissioner feels that some of the required clarification of rights can be accomplished through regulation, and need not be incorporated into the Act by amendment. The GNWT has been reluctant to make regulations for this Act, however, partly because of the recommendations of the two committees, and partly because regulations can sometimes be troublesome, restricting rather than enhancing rights and privileges if they are not carefully thought out.

The GNWT has, however, demonstrated some willingness to develop operational guidelines for internal use. These guidelines could eventually form the basis for policies or regulations. However, guidelines and policies cannot take the place of regulations in some cases.

Guidelines are usually unknown to the public, and without *Access to Information* legislation, the public may not be able to get this information. In

addition, there is no way to force the government to adhere to those guidelines even if they do become public. Policy is a somewhat stronger mechanism than operational guidelines, but our survey of policy sections of GNWT departments revealed that either no policies on Official Languages currently exist, or that employees are not aware of them, or do not feel the need for them. (See Chapter 6). Besides, Section 28 of the *Official Languages Act* suggests specific areas for which regulations may be made.

Regulations to the federal *Official Languages Act* were brought forward in December 1991, three years after the passing of the new Federal *Official Languages Act*, but twenty-two years after the passing of the first Act. It is interesting to note that the Federal *Official Languages Act* makes specific requirements for public consultation in the development of regulations. The NWT *Official Languages Act* has no such provisions, so presumably the GNWT can make regulations without public consultation. The Languages Commissioner feels that it is important to consult the public and major organizations during the development of regulations, policies or guidelines for the NWT *Official Languages Act*. This may cause some delay in their development, but it is essential. This consultation should be undertaken immediately, as the Act has existed for several years without the required guidelines, policies or regulations.

Some public consultation is taking place. As part of the evaluation required by Secretary of State on the effectiveness of the funding they provide for Official Languages, the GNWT is doing surveys in some "representative" communities to try to determine the nature and extent of language use of the residents, and how this is changing over time. This information will assist the GNWT in planning for the provision of services and programs. Unfortunately, there is no good detailed data on language use in NWT communities, as noted in Chapter 1. In the Yukon, this was the first project undertaken by the Yukon Government when they signed their first *Cooperation Agreement* with Secretary of State in 1988, and it is serving as the basis for all language planning.

In the absence of the GNWT making regulations or guidelines in the near future, the Languages Commissioner will draft guidelines for use in the Languages Commissioner's office when trying to determine whether or not a complaint is reasonable. This is currently done on an ad hoc basis when complaints or inquiries are received.

Footnotes for Chapter 3

1. Justice J. Frankfurter in Dennis v. United States, 339 U.S. 162, pg. 184.

2. Research is currently underway by numerous organizations to determine what Aboriginal Language rights are guaranteed by the *Constitution*, the *Charter*, and other pieces of legislation. Further information on this research is available from the Office of the Languages Commissioner.

3. Government Human Resource System, 1992, Department of Personnel, GNWT. Unpublished study.

CHAPTER 4:
THE OFFICE OF THE LANGUAGES COMMISSIONER

A. Mandate

In 1990, the NWT *Official Languages Act* created the position of Languages Commissioner to be appointed by a vote of the Legislative Assembly for a term of four years. The first Languages Commissioner was appointed in December 1991, and the office opened in February 1992.

The job entails several activities which focus on ensuring that the rights, privileges, obligations, spirit and intent of the NWT *Official Languages Act* are all upheld, and that all provisions of any act or regulation relating to the status and use of Official Languages have been complied with. Basically, the spirit and intent of the *Official Languages Act* provides that all eight Official Languages should be recognized, preserved, developed and enhanced within institutions of the Legislative Assembly and GNWT.

The Languages Commissioner is responsible for:

i) promoting Official Languages to increase public awareness of the needs and aspirations of Official Language groups in the NWT;

ii) monitoring language services and programs within institutions of the Legislative Assembly and GNWT, to ensure they adequately meet the obligations set out in the *Official Languages Act* and any other act or regulation regarding the status and use of Official Languages;

iii) resolving complaints that appropriate services and programs are not available or that a person's rights have been infringed or denied; and

iv) making recommendations to institutions of the Legislative Assembly and GNWT to improve language services and programs or to amend the *Official Languages Act* or any act or regulation relating to the status and use of Official Languages.

In order to accomplish these goals, the Languages Commissioner may conduct investigations, make recommendations, require certain actions to be taken, report to the Legislative Assembly when problems cannot be resolved, or appear in court to represent those who feel their rights have been denied. An annual report is submitted to the Legislative Assembly explaining the activities of the Office of the Languages Commissioner each year, and includes any recommendations as mentioned above. These recommendations are then considered by the Legislative Assembly.

B. Operation of the Office

i) Approach

The Languages Commissioner has attempted to be very open to anyone wishing to contact the office for assistance in this first year. Each request for information and each complaint has been examined to determine whether or not it is within the jurisdiction of this office. Since the *Official Languages Act* gives the GNWT the authority to provide services beyond what is already provided for in the Act, the Languages Commissioner has adopted a broad interpretation of matters related to her jurisdiction.

We did not want to be too hasty in deciding that any matter was not within the Languages Commissioner's jurisdiction, as we did not have any precedents for determining this. The staff needed time to become familiar with the role of this office, so we took time to carefully consider each matter. We also needed time to determine exactly what the *Official Languages Act* means, and what was required of government to meet its obligations.

If the issue was found to be outside the mandate of this office, we referred the individual to the appropriate office or individual. We did not want to discourage people from contacting this office for assistance, so even when the matter was not strictly our business, we attempted to respond, and at the same time, explain the limits of our jurisdiction.

This has allowed people to become more familiar with the role of the Languages Commissioner, while we responded to immediate needs. In

future, this office will have to be more selective in dealing with matters outside of our jurisdiction, especially because we have found that the volume of work is increasing rapidly. However, all the information gathered and reported in this first year will allow the GNWT to become aware of the types of complaints and inquiries people are making, so that they can be addressed in some other way, if they are not within the Languages Commissioner's jurisdiction.

In order for this office to be accessible to speakers of all NWT Official Languages, we have had to adopt a policy used in the federal government - "active offer". Since our office had only two permanent staff members, as well as occasional casuals and contractors, we were not able to provide services in all Official Languages. We have, however, made people aware that we are prepared to make information available whenever it is requested in any Official Language.

In addition, in our dealings with the institutions of the Legislative Assembly and GNWT, the Languages Commissioner has been quite patient in the first year, since time was needed for departments to become accustomed to this new arrangement. We have also found that employees at all levels need more information about the *Official Languages Act* in order to effectively implement programs and services. Often we found that the good will is there but the structures are not yet in place for people to carry through on their intentions.

ii) Staff

Between February 1992 and March 31, 1993, this office has had only two full-time staff: the Languages Commissioner, who started February 1, 1992, and an Executive Secretary/Administrative Assistant position, filled by casuals until the competition process was completed in August 1992.

Besides this, the office has hired four casual researchers and two casual clerks for special studies (see Chapter 6), and has used the services of seven contractors to do research, to do translations, to develop a publicity package, to develop a data bank for survey results, and to provide legal counsel.

Numerous individuals were hired in communities to do surveys of community residents, and three work placement students from Arctic College also assisted in this work.

All but three of the people working in the office so far could speak another Official Language in addition to English, and they were encouraged to use it on the job.

iii) Objectives and Accomplishments

The objectives set by the Languages Commissioner for this office in 1992-93 and activities related to these objectives are as follows:

1. Set up the Office:

From February to April, the office was furnished, equipped and staffed. We began accepting complaints and inquiries even before the office was set up. A 1-800 toll-free phone line was established, a contract for legal counsel was settled, job descriptions, procedures and a budget proposal were developed.

2. Establish Philosophy, Principles, Priorities and Objectives:

a) Philosophy:

The basic philosophy of the office is to try to quickly and fairly resolve any issue that is brought to our attention, and to try to encourage all language groups to work together.

b) Principles:

The Languages Commissioner and all staff of this office will:

- strive to maintain an awareness of language issues and activities in the NWT and elsewhere by consulting regularly with representatives of all Official Language groups;

- be responsive to all complaints and inquiries;

- be patient, fair, openminded and impartial in dealing with complaints;

- respect confidentiality of all matters dealt with;

- encourage all linguistic groups to work together and support each other;

- foster an understanding of the importance of language and culture in society;

; encourage increases in the programs and services available to the public in all Official Languages in all sectors of NWT society, keeping in mind human and financial resources and priorities established by the Official Languages communities;

- help identify priorities for the delivery of language services and programs;

- encourage the development of human resources in the field of Official Languages;

- promote a broad and liberal interpretation of the *Official Languages Act*;

- promote public awareness of NWT languages and cultures, the NWT *Official Languages Act*, the rights and obligations in the Act, and the role of the Languages Commissioner;

- encourage the public to make use of the Languages Commissioner's office.

c) **Priorities:**

One priority is to resolve individual complaints and inquiries as soon as possible, and not make people wait until major issues are resolved before they get an answer to their own problems.

Another priority this year was research, since we needed to gather many documents in order to be aware of the current situation of languages in the NWT. We also needed to know what the *Official Languages Act* means, so we dedicated considerable time to research in this area.

d) Objectives:

This chapter lists all of the objectives for 1992-93 and related activities. The objectives for 1993-94 are found in Chapter 8.

3. Define the Role of the Languages Commissioner:

The Languages Commissioner made numerous trips to communities, meeting with many groups and individuals to discuss her role. She also solicited ideas from several sources, including the MLAs, but only a few individuals responded. Information was gathered from other ombudsmen and from the Federal Commissioner of Official Languages about their role, which is similar to that of the NWT Languages Commissioner.

The Languages Commissioner is a linguistic ombudsman. The role basically involves mediating informal resolutions to complaints. Although the Languages Commissioner has the power to go to the courts to settle disputes, this method will only be used as a last resort. If disputes cannot be resolved quickly and fairly, the Languages Commissioner will report these matters to the Government Leader, and if appropriate action is not taken, a report will be made to the Legislative Assembly. The Annual Report is one mechanism for reporting such matters. Special reports can be made in addition to the Annual Report if this is deemed necessary.

In the first Annual Report of the Commissioner of Official Languages for Canada in 1971, the government and the Commissioner were called "rival allies". This describes the current situation between the NWT Languages Commissioner and the GNWT. The GNWT has established specific positions within government that are responsible for implementing Official Languages. They have also established the Languages Commissioner's office to monitor this implementation. We are all working towards the same goal, thus we are "allies", but we may often take different approaches to implementation and have different interpretations of the *Official Languages Act*, or any act or regulation relating to the status and use of Official Languages, thus we may at times be "rivals".

4. Prepare Job Descriptions:

Job descriptions for the secretary/administrative assistant and the researchers were developed. Job descriptions of other ombudsmen were gathered from across Canada to be used in drafting the Languages Commissioner's job description. This task will be completed in 1993.

5. Establish Guidelines for Dealing with GNWT and Its Institutions:

In the first few months, the Languages Commissioner attempted to determine who was responsible in GNWT for the overall implementation of Official Languages. The Minister of Culture and Communications had been given the mandate for negotiating agreements with Secretary of State and liaising with departments on Official Languages matters, but the Minister had never been given clear authority over implementation in all departments. It was not clear to whom problems and complaints should be addressed, so initially we addressed complaints to the Minister responsible.

Shortly after the end of the 1992-93 year, the GNWT established an Official Languages Unit in the Government Leader's office. It was decided then that all contacts with the departments should be made via the responsible Deputy Minister's office, and Official Languages Unit in Executive would receive copies of all correspondence with departments and their institutions.

6. Establish Procedures for Dealing with Complaints and Inquiries:

A tracking and filing system was developed for complaints and inquiries. This was revised several times, until the most effective method was found. A computer system has now been developed to assist in this task. Files are reviewed regularly until they are resolved, dismissed or referred to another body for resolution. More serious complaints that suggest that a right under the *Official Languages Act* has been infringed or denied are dealt with as a priority. If people simply request information, we provide it if we have it and refer the client to the department or organization responsible for confirmation and clarification.

7. Establish the Identity of the Office and Do Publicity:

A letter of introduction was sent to all Deputy Ministers. A contractor was hired to develop the logo and stationery for the office, to arrange for signs, and to develop a brochure explaining the *Official Languages Act* and the role of the Languages Commissioner. The brochure was sent to GNWT for translation and is currently being revised by Justice. Notices were sent to newspapers and radio as required, such as the information campaign conducted for French Week and Aboriginal Languages Day. A 1-800 line was set up and advertised. Several radio and TV interviews were done to introduce the Languages Commissioner to the public and to explain the *Official Languages Act*.

8. Gather Information from GNWT Employees and The Public:

We conducted two surveys: 5000 questionnaires were sent to GNWT employees and several thousand were distributed to interviewers in various communities. The employee survey results are reported in Chapter 6. The public survey is still underway and will be reported next year.

9. Gather Information about GNWT Policies & Guidelines on Official Languages:

During the first few months, policy sections of each GNWT department were contacted to ask whether any policies or guidelines existed relating to the implementation of Official Languages. The results of this survey are reported in Chapter 6. This survey was done before it was decided that all contacts should go through the Deputy Minister's office.

10. Gather Information on Existing Programs and Services:

Three summer students did a telephone survey of language services and programs available in each community. This will be compiled into a directory next year, and updated annually if possible. We started calling GNWT departments to find out what was available within the GNWT, but they asked us to stop because they were starting their own survey, and they did not want the Languages Commissioner to contact employees directly, so

we agreed. We then concentrated on non-government organizations. Although these organizations are not obligated to provide Official Languages services, we found that there are many activities in this area.

11. Gather Information on the Needs and Aspirations of Those Involved in Official Languages Activities:

The Languages Commissioner visited numerous communities to see what Official Language services and programs were available and to ask about the problems people were encountering. Visits were made to GNWT facilities such as Teaching and Learning Centres, schools, parks, airports, hospitals, nursing stations, courts, recreation facilities, museums, visitor centres, construction sites, regional, area and community offices. As well, non-GNWT organizations such as private businesses, native organizations, daycares, elders facilities, hamlet offices, and others were visited. Numerous meetings were held with various groups and organizations.

12. Consider the Formation of an Advisory Council:

Since Section 20(3) of the *Official Languages Act* states that the Languages Commissioner shall annually solicit the advice of organizations representative of each Official Language, the Legislative Assembly recommended that the Languages Commissioner be assisted by a council. The Languages Commissioner discussed the formation of an Advisory Council with many individuals and groups in order to find out what questions needed to be answered before a council was chosen. These issues have been presented in a paper which was recently distributed, so that input can be sought from all communities and groups involved in language work. One question that arose was whether or not a new body needs to be formed, or whether some existing group(s) can serve this function. The discussion paper is in the Appendices.

13. Obtain Legal Opinions on the *Official Languages Act:*

We received legal opinions on many sections of the Act, some in response to complaints or inquiries, some because the Languages Commissioner required clarification in order to determine the obligations of GNWT, to which institutions the *Official Languages Act* applies, and to assess the adequacy of services and programs. We also tried to clarify the authority of the Languages Commissioner to obtain documents and information, but some issues still need to be resolved in this area.

Since the NWT *Official Languages Act* borrowed much of the wording of the Federal *Official Languages Act*, a comparison was done between the two Acts in order to determine similarities and differences. A comparison was also done between the French and English versions of the NWT *Official Languages Act*. A list of proposed changes to the Act was given to the Department of Justice for their consideration. Some of these are simple changes to correct errors in the wording, but others will be addressed to Executive Council and possibly the Legislative Assembly for their consideration in the new year.

We also gathered information on court decisions on language rights that might serve to assist in the interpretation of the Act.

14. Encourage GNWT to Begin Working on Regulations for the Act:

Meetings with the GNWT to determine who was responsible for making Regulations for the Official *Languages Act* began in March. Although at first no Minister had clearly been designated responsible, when the Official Languages Unit was moved to the Executive in June, it became their responsibility. Numerous meetings have been held to discuss a process for developing regulations or some interim guidelines and policies, and these meetings are on-going. Information has been provided to GNWT on the Federal Regulations on Official Languages, as well as other related documents, in order to assist departments in defining what is required.

15. Research and Gather Documents Relating to Official Languages:

Considerable time was devoted to trying to locate and obtain copies of information on Official Languages, such as all the Canada-NWT Agreements and Appendices and activity and financial reports, reports containing recommendations on Official Languages, statistics on languages, and so on. It was necessary to obtain these documents before acting on some of the complaints or inquiries, but now that we have this information, we can respond more quickly. Much of this information is reported in Chapters 1 and 6 of this report.

16. Respond to Complaints and Inquiries:

We opened 187 files for complaints and inquiries this year. Some of these files relate to several issues, so the actual number of complaints and inquiries is over 250. Those that have been resolved are reported in Chapter 5. Many of the files are still active, and some have required months of work.

17. Do Major Investigations and Consider Court Challenges As Needed:

In the first month of operation, the Languages Commissioner was asked to do a major investigation into the language programs in one region. This process is still on-going, and will be reported in 1993. It has taken quite some time to gather all of the information necessary. Also, within the first few months, the Languages Commissioner was asked to appear in court on behalf of an individual who felt his rights under the NWT *Official Languages Act* had been violated. This complaint took many months of research, and in the end, the Languages Commissioner decided not to appear in court.

If the Languages Commissioner were ever to decide to go to court, either as a party to someone's case or to bring a matter forward herself, the costs of legal fees might exceed those currently allotted in the budget for contract services. According to other ombudsmen in Canada, including the Federal Commissioner of Official Languages, going to court is only used as a last resort, when informal negotiations with the government fail to resolve the issue. Our office will continue to try to resolve problems through mediation between the GNWT and complainants, and does not anticipate having to

bring matters to the court if the GNWT and its institutions show earnest efforts to comply with the Act.

18. Encourage Non-GNWT Organizations to Use Official Languages:

The Languages Commissioner has had meetings and discussions with several non-GNWT organizations who are interested in or trying to provide services in Official Languages. Although these non-GNWT organizations are not obligated under the *Official Languages Act*, many of them show genuine interest in serving the public in their preferred language. Of special note is Canadian North, who have made tapes of safety announcements in all the Official Languages for use on airlines, and who have carried maps of NWT Official Languages in the seat pockets. (The maps were designed by Language Bureau, Department of Culture & Communications.) They have asked how they can make these maps more available, since passengers have shown a lot of interest in them.

Since many of these non-GNWT bodies do not have funding for Official Languages activities, the Languages Commissioner also suggested that each member of the NWT Interpreter/Translator Society provide one small translation (sign, business card, taped announcement) free of charge to a non-government organization or group once a year to celebrate Translation Day, September 30th. The Interpreter/Translator Society said they will consider this suggestion, but have not yet replied.

19. Research Sources of Funding for Language-Related Projects:

The Languages Commissioner spent quite a bit of time researching sources of funding for language-related projects. Many individuals and groups requested funding from our office, but we do not have such funds. These people either did not know where to apply or were denied funding because their proposals did not meet the criteria. We prepared a large package of information on funding sources from GNWT, the Federal Government, private foundations, Canada Council, the Social Sciences and Humanities Research Council, UNESCO, and so on. About 100 copies of this package were distributed.

iv) Budget 1992 - 1993

Table XXVI
Budget 1992-93
Languages Commissioner's Office

	Allocation	*Expenditures*	*Variance*
Salaries & Wages			
Permanent	$151,000	$121,369	$29,631
Casuals	$10,000	$43,228	($33,228)
Total	$161,000	$164,597	($3,597)
O&M			
Travel, Transport	$24,000	$17,963	$6,037
Materials, Supplies	10,000	5,777	4,223
Purchased Services	15,000	13,472	1,528
Contracts	52,000	68,634	(16,634)
Fees, Payments	0	2,295	(2,295)
Furniture, Equipment	0	1,166	(1,166)
Total	$101,000	$109,306	($8,306)
Task as a Whole	$262,000	$273,904	($11,904)

Source: Legislative Assembly Financial Report

There are several reasons for the over-expenditures in this first year of operation. First, expenditures for casual wages exceeded the allotment because the Secretary position was filled on a casual basis until August. This was offset by an under-expenditure in salary dollars. The additional over-expenditure in casual wages was due to the hiring of summer students to do research, which was required so that our office had some basic information to work with. Much of the information available to GNWT departments is not available to the Languages Commissioner, so we had to gather our own data.

With regard to O&M, there were several reasons for over-expenditures. First, the Special Committee on Health and Social Services shared our office space and used some supplies, the photocopier and fax. The Plebiscite Office also used the photocopier. Some of these costs were reimbursed, but not all of them. No funds were allotted for fees and payments and small furniture, but some staff participated in courses with course fees and two pieces of furniture were purchased. More money was spent on contracts than anticipated because we required quite a few opinions from legal counsel on the *Official*

Languages Act, since none existed when we started. We also required funds to develop the logo, stationery, business cards and some public information. However, we did not use contract translators very much, nor pay for the production of the Annual Report from this year's budget, so these will be added costs in the next year, especially if the translation of the Report has to be contracted out.

In the next year, one new position for a Researcher/Writer will be added, so the budget for salaries will increase, but there will not be an increase in O&M funds, so there may eventually be other adjustments to the O&M dollars.

Overall, the funds allotted seem to be adequate for the tasks required, and no major increase is anticipated in the new year, except for the addition of a Researcher/Writer position. The only unpredictable cost is that of contract costs for legal counsel. If there are many more complaints requiring legal advice, or if the Languages Commissioner should ever have to pursue any issue in court, these costs could escalate.

CHAPTER 5:
COMPLAINTS AND INQUIRIES

A. Definitions and Procedures

Although government departments and institutions sometimes shudder at the thought of complaints about them becoming public, the following quote from the *1992 Annual Report of the Federal Commissioner of Official Languages* gives us a good idea of the usefulness of such complaints.

> Complaints, those grains of sand in the machinery of government, are in fact, the particles from which pearls are formed. They are an essential feedback mechanism which allows organizations to improve service delivery to Canadian citizens (pg. 13).

The NWT Languages Commissioner, from February 1992 to March 31, 1993, handled about 250 complaints and inquiries. Some cases that started off as simple inquiries became complaints. For example, when people asked how to obtain language learning materials for native languages, and found that there were none, or that the materials were not readily available or not really geared for their specific field of work, they often complained.

Whenever possible, the Languages Commissioner provided the information or materials requested, but this is not really a role this office should have to play. In future, more and more of these types of requests will be referred to departments, and if they cannot provide what the client wants, when it should be available, the item will be reported as a complaint. This year, our office attempted to respond as quickly as possible to such requests, but in future, we will not be able to do this because of the increase in workload. Besides, much of this work is actually the responsibility of government departments or institutions, and we do not want to usurp their role.

An inquiry usually takes the form of a simple question such as: "How many Official Languages are there? Does the Official Languages Act apply to private businesses? How many speakers of Dogrib are there in the NWT?", and so on. These requests for information require very little time, and if we have the answer, we provide it. However, we also refer people to the department or institution responsible, so that the public becomes more aware of the limitations of our office and knows where to obtain information in the future and so that they can confirm the information we provide.

Complaints, however, are often more serious, such as the examples in this chapter depict. They usually involve some possibility that a section of the *Official Languages Act* has been violated, or that the spirit and intent of the Act have not been upheld. Or they might involve another Act or Regulation relating to the status and use of Official Languages, such as the *Education Act* or the *Summary Conviction Procedures Act*. These matters take a great deal more time to investigate and resolve.

We try to examine each issue carefully so that we do not dismiss issues that, at first glance, appear to be outside our mandate. Sometimes, after investigating, we find that the complaint is unfounded, or that it is not within our jurisdiction, but we can only determine this after a close study of the details. Sometimes too, our investigation reveals related matters that were not mentioned by the client, but that require some corrective measure. In this case, the additional information is brought to the attention of the department responsible, and some action is required of them.

We have established a detailed intake form and a computer tracking system for all complaints and inquiries, and each file is reviewed regularly until it is resolved or referred or dismissed. In this first year, we had to try several different systems before we developed one that allowed us to keep track of the information easily. Our current system should assist in minimizing the delay in dealing with most files. Sometimes we have to delay our response to some earlier issues, because something more serious comes up.

With only two full time staff this year, and the Languages Commissioner being the only one dealing directly with resolving complaints, some delays have been unavoidable. This should improve when a full-time Researcher/Writer is hired.

It is not unusual, in other jurisdictions, however, for a complaint to take several months or even years to be resolved. We have tried to respond as quickly as possible to all matters, but sometimes we have waited up to eight months for a department to reply, so the client could not get an answer for a long time. In these cases, we try to keep the person informed of the process, and if possible, deal with any part of the issue that can be resolved more quickly. In two cases this year, we have spent more than one year gathering information and they are still not resolved.

Our process for dealing with complaints is to write to the deputy minister and send a copy to the Official Languages Unit in the Executive. This process was agreed upon by the Government Leader, her staff and the Languages Commissioner. Besides this, the Languages Commissioner meets fairly often with the Official Languages Unit to review outstanding issues, and they follow up on them. All questions and responses are reviewed by the Official Languages Unit in order to ensure coordination of efforts and accuracy and completeness of responses. This process seems to be working quite well and we have agreed to review it from time to time to make any necessary adjustments.

B. Summary of Complaints and Inquiries Received

There were a number of recurring themes that were raised in complaints and inquiries received this year. In the following report, complaints and inquiries are arranged by topic, in order to highlight these themes. Complaints and inquiries were received from both the public and government employees.

The number of items raised by government employees indicates that there is a lack of information even within the GNWT about the *Official Languages Act* and its implementation. GNWT has indicated that they feel that the Languages Commissioner should not be dealing with complaints raised by its employees. In every case, however, the Languages Commissioner has provided information and told the employee to contact their supervisor, deputy minister, the Official Languages Unit, personnel department, union or other body for clarification, depending on the nature of the matter. Some employees simply do not know who to contact about their concerns, so the Languages Commissioner provides a useful referral service in this regard. In addition, some GNWT employees refer inquiries and complaints to the Languages Commissioner without first trying to deal with them themselves. This is partly due to the lack of understanding of the Languages Commissioner's role, which will become clearer in time.

GNWT employees have been instructed that all dealings with the Languages Commissioner should be channelled through the deputy minister of each department, but in some cases, employees were complaining about their department and wanted this information to remain confidential. The Legislative Assembly should provide some direction to the Languages Commissioner as to whether or not to deal with complaints from employees, and if they decide that the Languages Commissioner should not deal with these matters, some mechanism should be established within GNWT for dealing with these matters. Currently, employees feel reluctance in some cases to bring these complaints to the attention of their own department for fear of reprisal. Some also felt that although they had done this, there had been no response or an unsatisfactory response.

Until some mechanism is established for employees to deal with their complaints and inquiries about Official Languages without fear of reprisal, the Languages Commissioner feels an obligation to deal with them, especially if it only involves a referral to the appropriate person, so that this information gets back to GNWT and employees feel that they have some method of addressing their concerns while their identity is protected.

When the public complains about the government, it is often thought to be employees in the front line who are responsible for the problem. In reality, it is sometimes people in more senior positions who are responsible for some of the public's dissatisfaction. This became obvious from our survey of government employees (See Chapter 6), in which some people in senior positions indicated their lack of support for Official Languages initiatives. Apparently, GNWT has now added to deputy ministers' evaluations an assessment of how well they have done in implementing Official Languages in their department. Hopefully, this will assist in developing more supportive practices at all levels in the departments.

Unfortunately, we have not had the time this year to calculate statistics on the complaints and inquiries received. This will be done in the future, now that a better tracking system has been developed.

C. Complaints

Information on Secretary of State Agreements:

Files # 135
A reporter complained that she could not get information from GNWT about the Secretary of State language agreements, even after several attempts. Since the Protocol for these agreements states that the information should be available to the public, the Languages Commissioner sent copies of all information required.

File # 178
A group which was allocated funding under the Secretary of State agreement on aboriginal languages complained that the money had not been made available to them and they did not know who was responsible for administering it. The Languages Commissioner informed the group of how to access the money.

Information on Official Languages Act and Its Implementation:

Files # 91, 114(b)
Several GNWT employees complained that they did not know who to ask for guidelines on implementing the *Official Languages Act*. They were frustrated that no guidelines exist for their departments about this. Some felt that every bit of public information in their offices had to be translated into all Official Languages and they had begun inundating Language Bureau with material for translation. The Languages Commissioner explained the relevant sections of the *Official Languages Act* and told them to call Official Languages Unit in the Executive and their deputy ministers to get clarification of their obligations.

The Languages Commissioner also reminded GNWT of the coming into force of Section 14(2) on December 31, 1992 regarding provision of services in aboriginal languages and suggested that they do a press release so the public and GNWT employees would be aware of their rights and obligations. GNWT declined, saying they wanted to wait until their internal survey on available services and demand for services was complete. The Languages Commissioner continues to pressure the GNWT to develop and distribute some information for its employees and for the public, either through press releases, brochures explaining the Act, operational guidelines, policies, regulations or amendments to the Act.

Files # 11, 40(a), 44, 74, 94, 109, 123, 128, 131, 136(a), 165, 167
Numerous complaints were received that people did not have information about the *Official Languages Act* or the Languages Commissioner. The Languages Commissioner asked GNWT whether or not they had plans to provide information to the public and their employees about the *Official Languages Act* in the near future. Since they had not begun this process, the Languages Commissioner asked if Language Bureau could translate the brochure she had prepared explaining the Act and the role of the Languages Commissioner, and they agreed. The brochure is being simplified, and hopefully will be released soon in all languages.

File # 179(a)
A native organization complained that there is a week long national celebration for the French language but only one day for Aboriginal Languages. The Languages Commissioner suggested to Assembly of First Nations, who declared Aboriginal Languages Day in 1989, that they consider a week or month instead. Regional representatives of AFN agreed to this suggestion on a conference call and this was discussed at a Special Chiefs Assembly in March 1993. They then agreed that March should be declared Aboriginal Languages Month.

Language Courses and Resources:

Files # 6(e), 8(g), 18, 38, 61(a)(b), 112, 134, 145, 156, 181
Numerous GNWT employees and many other non-GNWT individuals complained that there is no language training available for Official Languages, except the odd course offered through Arctic College. The Languages Commissioner distributed copies of tapes and books to these individuals when GNWT said they had nothing available. She also informed GNWT about people who could deliver language courses. People complained however, that the tuition was too high when courses were offered and employers were not willing to allow employees the time off or to reimburse them for costs. The Languages Commissioner contacted employers in these cases to try to encourage them to send employees to training and suggested possible sources of funds for these people. See Survey of GNWT Employees in Special Studies section.

File # 2
The complainant was concerned that not all potential contractors were informed or considered when a contract was being let by GNWT for materials to be developed, printed and distributed in Dene languages. Since there are very few businesses that have experience dealing with this specialized field, new businesses find it hard to compete. The Languages Commissioner discussed the complaint with the Minister and, in the end, a newer company was considered and did receive the contract. All proper tendering procedures were followed.

File # 66

A school board complained that they could not get permission from a computer company to adapt the operating system to a native language. The Languages Commissioner wrote to the company to explain the obligations of GNWT institutions in providing services and programs in Official Languages. The company subsequently agreed to permit the changes.

File # 6(h), 33(a), 118(e)

Several complaints were received about the unequal distribution of resources for identical programs being run by Arctic College in Fort Smith and Iqaluit. The Languages Commissioner contacted the President of Arctic College to ask for the distribution of resources to be reconsidered. Arctic College replied that funds were not available currently, but that the program managers could request additional funds or ask for more casual dollars. The Languages Commissioner has done an analysis of the funding under the Canada-NWT Agreements and has found that some funding was lapsed by Arctic College. She has requested the President to reconsider this allocation of funds or the provision of additional funds, and is monitoring the situation.

File # 88

Many people complained that the delay in signing the Secretary of State agreements and annual appendices was causing problems in administering programs and services. The Languages Commissioner met regularly with the Official Languages Unit, Executive, to monitor the progress of negotiations. She also wrote to Madame Monique Landry, Secretary of State, to encourage them to avoid future delays and is planning a meeting with Secretary of State in the new year.

File # 67

A GNWT employee responsible for training complained that training materials were not available in the native language of his region. The Languages Commissioner asked two departments to gather translated materials related to the subject. The Languages Commissioner sent these materials to the complainant and explained that Language Bureau could be asked to translate such materials and provide terminology.

File # 102

When someone complained that a native language position with GNWT had been vacant for quite awhile, the Languages Commissioner contacted the department to find out what the status of the position was and to encourage the department to fill the position as soon as possible. The position was advertised and filled shortly after that, but the Languages Commissioner criticized the department for leaving it vacant for as long as they did. Since the department indicated that part of the problem arose from delays within the Department of Personnel, it would appear that more attention needs to be paid to filling positions quickly if they are related to the delivery of Official Languages services and programs where there is a legal obligation to make a service available. If the position cannot be filled quickly, GNWT must make some interim arrangements for provision of the service, and make all departments and organizations aware of this arrangement.

File # 107

An individual complained that research had been done in day cares to produce materials for incorporating language and cultural activities into day care centres, but that the day care in which she worked had never received any materials after the contract was done, even though they had been consulted in the development stages. The Languages Commissioner contacted the GNWT to determine what materials had been produced and informed the complainant of how to obtain the materials.

File # 144, 151

When Secretary of State announced cut backs to funding for the Canada-NWT agreements on Aboriginal Languages and French, and numerous individuals and groups complained, the Languages Commissioner analyzed the previous agreements and wrote to Secretary of State and both Members of Parliament to explain how the cuts would affect the delivery of services and programs. The Languages Commissioner continues to monitor the Secretary of State agreements on an on-going basis, and plans to meet with Secretary of State in the new year.

File # 142

A student in a language program at Arctic College dropped out because she had disagreements with the instructor. The Languages Commissioner contacted the College to get both sides of the story, and found that the College was making arrangements for the student to be re-admitted.

File # 41

A student who had spent most of her life in the NWT but was now attending university in the south, requested financial assistance for one year to attend a university in another circumpolar country. She wanted to study native languages related to those in the NWT and then return to the NWT to work. She was told she was not eligible for funding, as she was no longer an NWT resident. The Languages Commissioner asked for her case to be reviewed but funding was again denied. The student decided to return and work in the NWT to re-establish residency and then re-apply. The Languages Commissioner also assisted in trying to locate alternative sources of funding.

Communications with the Public:

File # 4 (a)(b)

The complainant said that GNWT does not always use plain English in their communications with the public. He suggested that employees should take courses in how to write, especially if they prepare materials directed to the public. The Languages Commissioner, in a submission to the Standing Committee on Legislation, proposed that if GNWT adopts Access to Information legislation, there should be a clause stating that plain language must be used, especially in all communications with the public. The current communications policy #11.21 directs employees to use "simple language and clear symbols to achieve clarity and ease of understanding." This policy suggests the use of symbols rather than words in some cases, but it doesn't appear to be a method used very often by GNWT. This may be a way for GNWT to avoid some of the difficulties they are experiencing, for example, in providing signs in all Official Languages on GNWT buildings.

File # 68(a)

Many people complained about signs on GNWT buildings either being in English only, or English and French only, or in only some of the aboriginal languages. The Languages Commissioner obtained the sign policy from GNWT and made numerous suggestions. At least one sign was replaced to include all Official Languages. GNWT explained their priorities for signs and has begun to place signs in all local Official Languages on many buildings. The Languages Commissioner is encouraging GNWT to use all Official Languages on all signs in Yellowknife, as it is the capital, but this is not currently their policy.

File # 68(d)

One person complained that no signs were placed in airports, especially Yellowknife, to assist the travelling public who speak languages other than English or French. He suggested that a direct telephone line to interpreters would be useful. Since some of the airports in the NWT are federal facilities, such as the Yellowknife airport, they are not obligated to provide services except in English and French. However, if the airport is operated by the Territorial Government, there is some obligation. The Languages Commissioner is pursuing this further and has brought it to the attention of the Federal Commissioner of Official Languages. He has indicated that he will encourage federal departments to do what they can in languages other than English and French whenever possible. Some provisions have been made by the federal government. For example, the airport in Iqaluit is a federal building, but Inuktitut appears on signs along with English and French.

File # 154

A GNWT department requested information on the sign policy as they were not sure which department to contact and they were having trouble determining which languages to use and in which order the languages should appear.

The Languages Commissioner sent a copy of the policy and advised them that eleven versions are required on the sign, not just eight, which they had previously been told. It is a common misunderstanding that eight versions includes all of the Official Languages, while there are actually eleven, since Inuktitut includes also Inuinnaqtun and Inuvialuktun, and Slavey includes both North and South Slavey.

Files # 92, 104, 162

A unilingual patient at Stanton Hospital complained that none of the instructions given to him in writing were translated - e.g. labels on bottles for giving samples, labels on medication, diet instructions. Interpreters were not always called when nurses and doctors had to talk to him, especially after hours. Also there were numerous errors on the native language signs in Stanton. The Languages Commissioner met with the Coordinator of Interpreting Services at Stanton Hospital and the Vital Abel House to make them aware of these problems. The errors in the hospital signs should be changed in 1993, and the Interpreter/Translator staff are considering the possibility of translating such things as labels when they are issued by the hospital. Since much medication is given to patients by drug stores, and they have no obligation under the *Official Languages Act*, it may be more difficult to accomplish translation of these labels.

The Coordinator and Interpreter/Translators are making a concerted effort to improve native language services at the hospital. Questionnaires on hospital services were developed in all official languages to be used by patients for making complaints or suggestions, and these are displayed at the front desk and distributed to patients. Unfortunately, the written versions will not be very useful for unilingual Dene patients, as very few read and write in Roman orthography, or for other illiterate patients, so they will have to be interviewed by Interpreter/Translators.

File # 34

The complainant said that computerized telephone answering systems in the NWT were causing a problem in smaller communities, since they were only in English and French, and many people are unilingual in an aboriginal language. The Languages Commissioner informed the complainant that the NWT *Official Languages Act* does not apply to private businesses, but she contacted the company to inform them of this problem. The company was unaware of it and was pleased to be informed, and said they would take it into consideration in the upcoming changes to service in the NWT.

Files # 68(c), 77, 115, 93

Some people complained that signs in stores, hotels, restaurants and municipal buildings were not in Official Languages. The Languages Commissioner explained that these bodies are not obligated under the NWT *Official Languages Act* to provide services in Official Languages, but made a request to the NWT Interpreter/Translator Society for its members to do one free translation a year on Translation Day, September 30, to assist these bodies in providing such a service. This has yet to be discussed by the Society. She also made some of these bodies aware of sources of funding for such a project and is encouraging non-GNWT organizations to use as many Official Languages as possible.

File # 68(b)

Two francophones complained that signs on buildings in their community were in English and French only, although the community was mostly native people. The Languages Commissioner discovered that the signs were actually on federal government buildings and it is their policy to use both English and French but they have no obligation to use the Aboriginal Languages, since the NWT *Official Languages Act* doesn't apply to federal government institutions. The Commissioner of Official Languages in Ottawa has agreed to bring this to the attention of federal government institutions when they are located in native communities and will encourage them to use aboriginal languages whenever possible. Some Federal buildings do already have signs including native languages.

Interpretation/Translation:

File # 30(b)
A native organization asked for a full time Interpreter/Translator position. They had been turned down twice when applying for funding from GNWT. The Languages Commissioner discussed this with GNWT and asked for the GNWT Interpreter/Translator in that community to be made available to the organization half-time, to provide better service to the public. This arrangement was temporarily agreed to, pending a review of all interpreter services in GNWT. GNWT also said they had strengthened their service capability in the interim. A list of possible alternative sources of funding for an interpreter position was also provided to the organization by the Languages Commissioner.

File # 39
When someone complained that there were several lines of gibberish in the Inuktitut translation of plebiscite posters and brochures, the Languages Commissioner contacted the printers to determine how this had happened. The problem was caused by incompatibility of computer software used by the GNWT and the printing company. The Languages Commissioner notified GNWT so they would be aware of this problem in future dealings with that company.

File # 46
A trained interpreter complained that untrained Interpreter/Translators are still being used for GNWT assignments even when trained Interpreter/Translators are available. The Languages Commissioner contacted the GNWT department involved and suggested that every effort be made to hire trained Interpreter/Translators first, otherwise Interpreter/Translators will be discouraged from taking training courses. The department replied that they do try to locate trained Interpreter/Translators first, but that often the lack of time makes it necessary to contact and hire untrained Interpreter/Translators.

Since GNWT does not have a centralized process for keeping track of and contacting freelance Interpreter/Translators, departments often have a difficult time finding trained Interpreter/Translators. The Languages Commissioner feels this is now the responsibility of GNWT when staff Interpreter/Translators are not available, since Section 14 of the *Official Languages Act* states that services must be available from GNWT in the Official Languages of that region, where there is significant demand or where the nature of the office makes it reasonable to expect that services will be available. The GNWT's obligation to assist all departments in securing adequate Interpreter/Translator services is something that must be considered in their proposed plans for re-structuring language service delivery.

File # 17

A community organization requested a copy of an Act translated into Inuktitut. The Languages Commissioner explained that the *Official Languages Act* says this is done when the Executive and Commissioner of the NWT require it. The Languages Commissioner met with the Minister to request the translation. The Minister suggested having someone from the department meet with the group to explain the Act and to determine whether the entire Act was required in translation or only parts of it. He did not want to request the translation of this particular Act without first considering which Acts were a priority for the public. The Languages Commissioner informed the community group and also told them that since much of this Act had been amended recently, they could probably obtain copies of the translation of the draft Bill in Inuktitut from the Legislative Assembly.

File # 158(a)(b)

When a person complained that the native language translation of a children's book was not available in their community, the Languages Commissioner checked with the department and found that it was at the printers and would be distributed soon. Another community complained about the translation not being in their dialect so the Languages Commissioner advised the department about the dialect differences and they said they were taking steps to provide the appropriate translation.

Files # 89, 155, 164

Two people complained that they could not find all NWT community names in native languages. The Languages Commissioner obtained the list and sent it. Two individuals also complained that when community names were changed, the standard writing system was not used for the spelling of the names. The Languages Commissioner contacted the communities to encourage them to use standard spelling, but they said they were following the wishes of their elders and local people regarding the spelling of approved community names. The Languages Commissioner has obtained the list of official community names from the GNWT toponymist and is checking the spellings and producing a map with local names in native languages for public distribution.

File # 69

An individual complained that information on the EDA Agreement was not available in French. The Languages Commissioner found out it was available and informed the complainant.

File # 47

In May, 1993 the Languages Commissioner received a complaint arising from a conviction for speeding under the NWT *Motor Vehicles Act*. The accused, who was appealing his conviction, complained that he had not received a French or a bilingual ticket, contrary to the NWT *Official Languages Act* and the *Charter*. He also complained that his trial had been conducted entirely in English, with the assistance of an interpreter, rather than being given a trial conducted in French, contrary to the *Official Languages Act* and the *Criminal Code*, Section 530. On his appeal of conviction, the complainant asked that the Languages Commissioner appear on his behalf, or as a party to the action, or that she provide him with legal counsel.

This was one of the Languages Commissioner's first complaints, and it raised many important issues for this office.

First, his request that he be provided with legal counsel to pursue his case was rejected since the Languages Commissioner cannot do so. He had attempted to secure such assistance under the *Charter Challenges Program* of the Federal Government, but this program had recently been discontinued. (This cancellation was criticized by the Commissioner of Official Languages in Ottawa in his 1992 Annual Report, since it had been used successfully by several individuals and groups to clarify language rights through the courts.) The complainant asked whether GNWT might consider adopting such a program of their own, but the first reaction to this proposal was negative.

Secondly, the complainant said that he felt he was entitled to a bilingual or French speeding ticket, according to the *Charter* and/or the NWT *Official Languages Act*. There have already been a number of Supreme Court of Canada decisions defining the language rights contained in the *Constitution Acts* of 1867 and 1982, which are very similar to the provisions of Section 12(1) of NWT *Official Languages Act*, and these cases have stated that the ticket need not be issued in the Official Language of the recipient. In this regard, the Languages Commissioner determined that, by appearing in court, there were no new points of law to be determined with respect to the NWT *Official Languages Act*, and certainly no new *Charter* rights to be determined. Besides, the rights provided by the *Charter* are not within the Languages Commissioner's jurisdiction.

The NWT *Official Languages Act* gives the Languages Commissioner the power to investigate any complaint that a person's rights under this Act have been violated, or under "any other act or regulation regarding the status and use of Official Languages". The Languages Commissioner determined that she had jurisdiction over some provisions of other acts that had a bearing upon this case. The *Summary Conviction Procedures Act* of the NWT incorporates provisions from the *Criminal Code* to be used in territorial summary conviction matters, some of which make reference to the use of Official Languages. The only exceptions where these rules do not apply are in cases where another provision is specifically made for some other procedure to be used instead. A procedure related to the *Motor Vehicles Act* of the NWT must follow these summary conviction rules.

The regulations for the *Summary Conviction Procedures Act* of the NWT, at the time the ticket was issued, provided for tickets to be issued in English only, so the unilingual ticket did not represent a violation of this Act. However, in March 1992, new regulations were adopted for this Act which require tickets issued under a number of NWT statutes to be issued in English and French, including tickets issued under the *Motor Vehicles Act*.

The complainant also alleged that his right to use French in the court, under Section 12 of the *Official Languages Act*, was violated. This section enables a party to use any Official Language in any court established by the legislature. The rights in the *Official Languages Act* are limited to use, not to a corresponding right to be understood in French without an interpreter. So long as the complainant was allowed to use French in the court, there was no apparent violation of this section of the *Official Languages Act*. But Section 12 of the NWT *Official Languages Act* must be read in conjunction with parts of the *Criminal Code*.

New sections of the *Criminal Code* came into effect in January 1990. The Supreme Court of Canada had said in the past that the right to use English or French in the courts did not guarantee a right to be understood in either language without an interpreter. But this was changed in 1990, when the *Criminal Code* was amended. Since the *Summary Conviction Procedures Act* of the NWT incorporates *Criminal Code* provisions related to summary conviction offences, it includes section 530(1) of the *Code*, which states that the accused now has the right to choose to have his or her trial in English or French, and Section 530(3) states that the judge or Justice of the Peace has a duty to inform the accused of that right, if she or he is not represented by counsel. These issues are being followed up with the Department of Justice.

Another issue he raised was that the transcript of the case was in English only. Looking at Section 530.1 of the *Criminal Code*, it is the Languages Commissioner's position that the transcripts of such cases ought to include everything that is said in the Official Language in which it is said and in its interpreted version, where an order has been issued under Section 530. This section is also incorporated into the NWT *Summary Conviction Procedures Act*, so the Languages Commissioner is continuing to investigate this matter.

The Languages Commissioner has recommended to the Department of Justice that measures be taken to improve delivery of services to the public in French, such as the use of bilingual forms and bilingual transcripts, and the provision of French speaking Justices of the Peace. The Fédération Franco-TéNOise also had discussions with Justice on these matters.

Some bilingual tickets and other forms, became available in 1992. The first francophone Justice of the Peace who will hear cases in Yellowknife was appointed in March, 1993. The Languages Commissioner will continue to monitor the provision of language services in the courts.

Files # 52, 113(a)(b), 186

A GNWT employee was concerned that his position would be cut or he would lose his job because he did not speak an aboriginal language well or because of plans to privatize Interpreter/Translator services. His fear was based on a misunderstanding of the *Official Languages Act*, so the Languages Commissioner explained that the Act did not make it obligatory for employees to speak more than one Official Language. Several other individuals also expressed concern about the proposed changes to the delivery of Interpreter/Translator services within GNWT, since it will affect many employees, all departments, and freelance Interpreter/Translators. They wanted to have input into this planning process. The Languages Commissioner wrote to GNWT to suggest that input be sought from the public and GNWT employees about plans to privatize or restructure Interpreter/Translator services. The Department of Education, Culture and Employment Programs has announced that they are undertaking a major strategic planning process and that public input will be sought.

File # 58

An individual asked about the court policy on interpreters for civil cases, since he had encountered some misunderstanding within the department responsible. GNWT replied but it is still not clear what all the details are. No written policy was received. This is being followed up, as there are a number of other related complaints that still have to be resolved regarding interpreter services for the courts.

File # 59

An interpreter doing a contract for GNWT complained about the terms of the contract changing after she had travelled to the assignment location. The Languages Commissioner obtained an explanation for the complainant and recommended to GNWT that all such contracts should be in writing, and signed by both parties before the contractor leaves home or begins work. This might require faxing the contract for prior approval if it must be settled quickly. Another part of this complaint concerned rates of pay for Interpreter/Translators, and in researching this the Languages Commissioner found quite a bit of discrepancy in rates paid for similar work.

File # 60(a)

Three individuals complained that the revised standard Dene orthography (writing system) was not being used by all GNWT employees or by other people producing materials. The Languages Commissioner visited the complainants and discussed the problems. The revised Dene orthography was recommended by the Dene Standardization Committee in response to a 1986 recommendation of the Task Force on Aboriginal Languages and accepted by the Legislative Assembly on March 21, 1991.

The Languages Commissioner recommended to GNWT that all GNWT employees be made aware of this standard on a regular basis, so that new employees are always informed. She also suggested that GNWT seek input from the Dene Languages Committee and native organizations on a policy being developed by GNWT regarding the use of standard orthography, so that more community support could be developed within non-government organizations for this initiative. More literacy training is also required.

File # 71

One Interpreter/Translator and one court office complained that an Interpreter/Translator position with Language Bureau had been vacant for a long time, and that this was causing difficulty in securing interpreter services on a regular basis.

The Languages Commissioner asked Language Bureau why the position was left vacant so long, and was told that they were waiting for students of the Arctic College Interpreter/Translator Program to graduate and apply. They want to support the policy of hiring trained Interpreter/ Translators. The Languages Commissioner replied saying that some more stable interim arrangement should be made, but they felt the use of contractors as required met the need. The situation is being monitored by the Languages Commissioner.

Files # 30(d), 73, 124(b)

Three complaints were received that GNWT does not produce any materials or translations in Dene syllabics. Since elders are usually the ones who are unilingual and require the information in a Dene language, and since most Dene elders who are literate read syllabics, not roman orthography, it was felt that some effort should be made to produce materials for this audience. The problem is that all GNWT staff use roman orthography and cannot read and write in syllabics. The syllabics system has not been encouraged for Dene languages because it does not properly represent all the sounds of these languages. However, GNWT has told the Languages Commissioner that they do not discourage the use of syllabics and funding could possibly be provided for special projects where someone can be found to produce Dene syllabics translations. The Languages Commissioner feels that Dene syllabics should be studied so that they can be documented for historical purposes and so that people interested can learn them.

File # 103

A contract Interpreter/Translator who was not re-hired by GNWT complained that Interpreter/Translators were being brought in from outside NWT to provide the service which she could provide. The complainant indicated that the services provided by this non-NWT resident were in a dialect different from those of the NWT, which was inappropriate. The Languages Commissioner checked into this and the complainant has been re-hired several times for assignments since then, while the non-NWT resident has apparently not been recalled.

File # 143

Several employees complained that their supervisor was causing problems with translation services. The Languages Commissioner contacted the supervisor to inform him of the problem and suggested a number of ways that the difficulties could be resolved. The complainants were instructed to contact the Languages Commissioner if the situation did not improve.

File # 146

An individual complained that traffic tickets are not available in Inuktitut. The Languages Commissioner explained that if there is enough demand for this or if people think it's reasonable to expect it, then they should notify GNWT and request the service. The Languages Commissioner brought this to the attention of the Department of Justice for their consideration.

File # 147

Following a complaint, the Languages Commissioner checked to see if an interpreter was available at the hospital in Yellowknife to provide adequate service in a specific dialect of a native language. The hospital hired the appropriate Interpreter/Translator shortly after this.

File # 152

A native organization complained that they could not borrow interpreting equipment from GNWT for a regional meeting. The Languages Commissioner requested that GNWT lend the equipment but GNWT declined as it is their policy not to lend their equipment. The Languages Commissioner provided the organization with names of alternative places to obtain equipment.

File #5 (b)

The complainant said that an interpreter who was involved as a party in one case on the court docket was interpreting in court for other cases that same day. The complainant was informed that as long as the interpreter did not interpret for the case in which s/he was involved, there should be no problem.

Since it is often very difficult to find qualified interpreters for court, it is sometimes impossible to avoid such situations. Interpreters are taught that if they feel they have any potential conflict of interest, they should reveal this in privacy to the judge and lawyers and let them decide whether or not the interpreter should be excused. The person was also referred to the Department of Justice to confirm the information provided. This query involved a matter of criminal procedure, rather than anything related to the *Official Languages Act*.

File # 37

A person who was detained by the police and later charged complained that their request for an interpreter had been denied; she was told she spoke English well enough. The Languages Commissioner informed the complainant that the right to an interpreter derives from the *Constitution* and *Criminal Code*, not the NWT *Official Languages Act*, but she asked the RCMP for their policy on providing interpreters and made it available to the complainant. She also informed the RCMP of this complaint.

File # 81

Several francophones complained that the French version of the NWT *Official Languages Act* was not the same as the English one. The Languages Commissioner requested legal opinions on the sections in question and advised the Deputy Minister of Justice of the concerns. Some of the changes will be dealt with soon, but others require further study or discussion by the Executive or Legislative Assembly. The Languages Commissioner is continuing consultations with Justice on these matters.

Equality of Status:

File # 7

The complainants were concerned that although the NWT *Official Languages Act* provides for "equality of status, and equal rights and privileges" for all eight NWT Official Languages, there seems to be more money available for French than for each aboriginal language, especially in the Secretary of State agreements.

This difference in funding is partly a function of the fact that French is one of the national Official Languages, so it must be used in all federal institutions, which is not the case for aboriginal languages. Also, GNWT contributes additional money for language programs and services, but the exact amount was not available from GNWT. The Languages Commissioner explained too that there are many factors to be considered in defining "equality." These are discussed in more detail in Chapter 3. Briefly, it was explained that equality does not mean treating everyone the same.

File # 40(b)
An individual complained that the NWT *Official Languages Act* does not specify all dialects of native languages. He was afraid that GNWT might decide to choose one dialect to use in all communications for each language. The Languages Commissioner explained that both Section 4 and the Interpretation Section define which aboriginal languages are official and that it does include all dialects.

File # 33(c)
A complaint was received that a program position had been established in a GNWT department to deal with Inuktitut language, but an equivalent position had not been established for Dene languages. The Languages Commissioner inquired and found that the Dene languages position was being developed and shortly thereafter it was advertised and filled.

Bilingual Bonus:

File # 8(d)
An employee complained that her position was not eligible for the bilingual bonus, therefore, even though she spoke another Official Language, she would not use it on the job, as other employees were already receiving bilingual bonus for this purpose. The Languages Commissioner requested information on the Bilingual Bonus policy and has addressed this and other related concerns to the Department of Personnel. See also Chapter 6, Survey of GNWT Employees.

File # 8(h)

The Languages Commissioner complained to Personnel that there is no preference given in the Affirmative Action policy to people who speak more than one Official Language. It is felt that such a measure would allow GNWT to hire more people able to provide services and programs in more Official Languages. Personnel explained that ability to speak another language is required in certain positions and is preferred in others. This addition to the Affirmative Action Policy will be considered when the policy is reviewed in 1994. However, since this criterion does not refer to a group of individuals who have been "traditionally disadvantaged", there may be a problem incorporating it as an Affirmative Action criterion. Other methods of incorporating this policy will be considered, such as designating more positions as "bilingual required" or "bilingual preferred", or making the bonus available to more employees if they do speak and use more than one Official Language in their job.

Files # 119(a)(b)

The Languages Commissioner notified Personnel that the UNW Collective Agreement still uses the wording "official aboriginal languages" in its bilingual bonus section. This wording was changed in the 1990 amendments to the *Official Languages Act* so the Collective Agreement should also be changed. She also requested that "Bilingual Bonus" be added to the subject index in the agreement and included in employee orientation sessions for new employees, so people would be more aware of their eligibility for it and how to apply. Personnel agreed to adopt these suggestions.

Surveys about Official Languages:

File # 8(f)

Several individuals complained that the Languages Commissioner sent out surveys on Official Languages to all GNWT employees in English only. The Languages Commissioner made an offer via HPDesk, fax and the GNWT Bulletin for translations and sent out translations to people who requested them. She also explained that they were using this process to determine preferred language of work for employees. See Part E of Chapter 3 for a discussion of language of work.

File # 8(i), 114(a)

Three GNWT departments complained to the Languages Commissioner that the Languages Commissioner's survey of GNWT Employees duplicated some of the research done in their employee surveys. The Languages Commissioner explained that she does not have access to the raw data from these surveys and that the Languages Commissioner's survey also asked about awareness of and attitudes towards the Official Languages, which was not included in the departmental surveys. The Languages Commissioner's office is making use of as much information as possible from the departmental surveys and is making results of the Languages Commissioner's survey available to the public. The individuals suggested that there be more cooperation between the Languages Commissioner's office and the GNWT when information is sought about Official Languages. See Survey of GNWT Employees in Chapter 6 for interim results of the Languages Commissioner's survey.

File # 8(j)

GNWT complained that they had not been notified about the Languages Commissioner's upcoming survey. The Languages Commissioner showed them a letter of notification sent a few months before survey distribution. No reply had been received to this letter, so the survey had proceeded.

File # 54

Four people complained about a language survey being done by the GNWT in their communities. They did not understand the purpose of the survey or what would be done with the results, and they had some concerns about the methodology. They felt that some questions were worded in such as way as to obtain exactly the responses GNWT wanted. There was no room for people to add their own comments. The Languages Commissioner was aware of the survey and explained the purpose. She also explained that the results of the GNWT survey would be very useful, and encouraged people to cooperate as much as possible. She also assured them that the Languages Commissioner's office was conducting a community survey in which people would have a lot of freedom to express their thoughts on Official Languages.

***Regulations*:**

File # 13
In response to complaints that the translation of regulations into French was again delayed, the Languages Commissioner attended a public meeting to support individuals who were upset about the delay. She also contacted the Minister of Culture and Communications to insist on a meeting with the Fédération Franco-TéNOise so that they could discuss some compensation for the delay. The Minister met with FFTNO shortly after this contact. Funding for community projects was increased in the next year's Secretary of State agreement.

D. Inquiries

Language Courses and Resources:

File # 3
Two GNWT employees inquired about what materials are available for learning Dene languages, as they often receive requests from other employees and the public. The Languages Commissioner provided them with all materials she had and names of other individuals who could assist.

File # 8(a)
A contractor preparing a report for GNWT asked about how to test fluency in native languages. The Languages Commissioner explained some of the efforts that have been made by various groups and departments in this area and provided names of other people to contact. Several meetings were held with the contractor and other individuals to explain some of the special conditions that need to be considered, such as dialect differences, specialized terminology, evaluator training, statement of purpose of testing, establishing criteria for acceptable levels of fluency, etc.

File # 49

An individual doing research on native language speaking children asked how their learning of English might be influenced by their native language. The Languages Commissioner provided her with information on the differences between these languages and referred her to other people involved in this field.

File # 129

A newspaper asked the Languages Commissioner to start a series on native languages in the paper. The Languages Commissioner is currently assisting with Word Quest, a weekly quiz requiring people to identify the language and the meaning of the word. The newspaper offered to find sponsors for the prizes. This may be expanded in the new year.

Interpretation/Translation:

File #1

An individual asked about rates of pay for interpreters, including payments for travel time, overnight stays, taxis, meals, babysitting, etc. The Languages Commissioner informed her that rates vary from approximately $15/hour to $50/hour depending on the Interpreter/Translator's experience and the difficulty of the assignment. The Languages Commissioner suggested that for any freelance or contract Interpreter/Translators, such details should be discussed when the offer of employment is made and they should be in writing. When Language Bureau employees are involved, the Department of Education, Culture and Employment Programs sets the rate and establishes the terms. Again these details should be discussed and put in writing before the assignment begins.

File # 5(a)

A person asked how an error in interpretation during the Legislative Assembly could be corrected for Hansard. The Languages Commissioner told them that corrections can be made to the draft Hansard until 10:00 am the morning after the Members of the Assembly receive the draft copy. This is done by simply contacting the Hansard staff. In this case, the person did so, and the interpretation error was corrected.

File # 16
An interpreter called to ask if it was all right to interpret in courts if s/he is a party in a case on that day's docket. The interpreter was told s/he should not interpret for the case in which s/he was involved but it was all right to interpret for other cases that day. The interpreter was also told to call Justice to confirm the practice.

File # 23
A court official requested information about correct translation of legal terminology, and advice on re-wording of the witness oath to facilitate translation. The Languages Commissioner provided advice and names of other people to consult in Justice.

Files # 24, 48, 51, 63, 64, 120, 126, 140(b), 149(a)(b), 153, 169,
Universities, Federal Government departments, courts, hospitals, medical clinics, RCMP, and other groups requested assistance in locating interpreters and translators and asked advice on how to facilitate interpretation and the gathering of data in various languages. Many of these individuals indicated that they had contacted GNWT first, but were referred to the Languages Commissioner. The Languages Commissioner offered the names of freelancers and some suggestions on dialect differences and working with interpreters.

File # 12
A contractor doing work for GNWT asked for comments on two reports about dictionary research and standardizing writing systems for native languages. The Languages Commissioner discussed these reports with the contractor and referred the individual to GNWT employees responsible for such initiatives.

File # 26
A native organization requested assistance in developing a policy on interpreters. The Languages Commissioner provided advice on rates of pay, working conditions, benefits and training and referred them to Language Bureau for their ideas.

Files # 27, 80, 82(c), 132

Several people asked for information about adapting computers for native languages. The Languages Commissioner provided information about existing programs, hardware, and other individuals working on similar projects, and evaluated samples of new initiatives the contractors had undertaken. These individuals suggested that GNWT make information about computer adaptations for native languages more accessible to the public and other organizations.

File # 42(b)

An individual who was translating a report asked for assistance in finding suitable translations for numerous terms. The Languages Commissioner provided names of people to contact and told the translator where to get terminology lists.

File # 100(a)(b)

A federal government department requested information on what languages and dialects exist in the NWT and asked how best to provide appropriate Interpreter/Translator services for northerners in southern correctional facilities. The Languages Commissioner provided information on the languages and dialects, a list of Interpreter/Translators, names of GNWT employees to contact and suggested the use of conference calls with interpreters.

File # 139

An individual asked which languages GNWT documents had to be published in for the Legislative Assembly. The Languages Commissioner explained that most documents are produced in English, French and Inuktitut, with a summary printed in the Dene languages, and sometimes a complete Dene language oral translation on tape. He was also referred to the Legislative Assembly for further information.

File # 157

An interpreter/translator doing contract work asked how earnings and business expenses should be reported for income tax purposes. The individual was referred to GNWT for more information on small businesses.

Information About NWT Languages:

File # 8(c)
A researcher asked what statistics are required for official languages in the NWT so that a computer data base could be developed that would provide more detailed data. The Languages Commissioner offered several suggestions and suggested other people to contact.

Files # 21, 125, 130
Several groups and individuals requested statistics on native languages in the NWT regarding literacy, number of speakers, rate of language loss, number of speakers of each native language in larger NWT centres, etc. The Languages Commissioner provided sources of information but stated that there is not much information in this area. Much more research needs to be done. Some sources include GNWT Statistics Bureau, NWT Literacy Council Survey, Census Canada, GNWT Labour Force Survey 1989, and the Department of Education, Culture and Employment Programs.

File # 22(b)
Radio Canada called to ask what Official Languages status would mean for Aboriginal Languages in Canada, after Ovide Mercredi announced that Aboriginal Languages should be made official in the Canadian *Constitution*. Since the NWT is the only jurisdiction in Canada where Aboriginal Languages are Official Languages, they wanted to know what our experience has been. The Languages Commissioner explained the history of the Act and how it has been implemented to date, and mentioned that the preamble of the NWT *Official Languages Act* says GNWT also desires that NWT Aboriginal Languages be recognized in the *Constitution* as Official Languages of the NWT.

File # 25
Another government requested information on Official Languages of the NWT and asked how the NWT had accomplished this and what our experience had been. The Languages Commissioner sent information on the history of the Act and the current efforts in implementation. They were also given names of people to contact in GNWT.

File # 62(a)
The Languages Commissioner noticed that some incorrect information had been provided to a federal government department about NWT Official Languages. The Languages Commissioner contacted both the GNWT department and the federal department to correct and clarify this information.

Files # 50, 127
Two individuals involved in doing cross-cultural training for court staff asked for comments on proposed materials and asked where to obtain further information about NWT languages and cultures. The Languages Commissioner provided comments and suggestions.

File # 99
A parent who has adopted a native child asked about the origin of the child's native language name and whether or not it was spelled correctly. The Languages Commissioner inquired about the name in the region from which the child was adopted and provided the correct spelling, and explained the importance of the namesake traditions.

Files # 76, 109, 128, 166, 184(a)(b)
Several people and groups asked for information about NWT Official Languages as they were writing articles or producing public information about languages and language rights in Canada. The Languages Commissioner provided information on the NWT Official Languages and the Act.

File # 42(a)
A GNWT department asked for comments about how certain uses of language create bias for different groups of people, in order to incorporate this information into a report for consideration by the Legislative Assembly. The Languages Commissioner provided several examples.

Language Rights:

File # 9
An NWT organization requested information on the language rights of accused persons and of (alleged) victims and other parties in court proceedings. The Languages Commissioner explained that some of these rights derive from the *Charter of Rights and Freedoms*, some from the *Criminal Code* and some from the Canada and NWT *Official Languages Acts*. She explained what these rights are (right to interpreter, right to use official languages in court, etc.).

File # 19
A law student requested information on training for court interpreters and on any rights people in the NWT have to use their official languages in courts. The Languages Commissioner explained that there was a Legal Interpreter Training Program in the Department of Justice and provided copies of relevant legislation.

File # 43
An individual asked if the NWT *Jury Act* still says that any "aboriginal" person who cannot speak English or French, but speaks only an aboriginal language of the NWT, can be on a jury. The Languages Commissioner checked and verified that this is the case, but said that Justice had proposed sometime ago to omit the word "aboriginal." The individual said she would discuss the matter with Justice herself.

Funding for Language Projects:

Files # 10, 65
Two airlines requested information on funding sources to make information available on airplanes in and about NWT Official Languages. The Languages Commissioner provided them with a package of information on many sources of funding. She also explained that the NWT *Official Languages Act* does not apply to private businesses, but encouraged them to do whatever was possible to provide language services in the airline company. Errors in

existing information distributed by one airline were also corrected by the Languages Commissioner.

Files # 29, 30(d), 31, 56(a)(b), 70, 72, 95, 98, 106, 113, 116, 122(a)(b), 138, 140(a), 141, 174
Many individuals requested funding for language projects or assistance in developing proposals for funding. The Languages Commissioner distributed a package of information with over 100 sources of funds, provided advice on funding programs and informed people of language rights and obligations in the NWT. She also provided many research articles to them.

File # 79
An individual requested information on funding to translate a book by an NWT author into Japanese. The Languages Commissioner provided a package of information on funding sources, and the person obtained the required funds.

Communications with the Public:

File # 20
In response to an inquiry, the Languages Commissioner determined that abortion counselling is available in Stanton Hospital in Dogrib and Inuktitut. Further discussion with the hospital revealed that interpreters can be hired whenever interpretation is needed, but that the hospital did not have full time interpreters for other Official Languages. The Languages Commissioner provided the hospital with a list of names of freelance interpreters. The hospital was trying to secure more positions for interpreters, and hope to see some additions in the new year.

File # 28
A representative of the media requested information on the correct use of several Inuktitut words for reporting. The Languages Commissioner provided advice on the formulation of a language policy for this organization in order to standardize the use of such words. The Languages Commissioner is also developing public information about native languages to be distributed by the media to increase public awareness about such matters.

Files # 62(b)
The Languages Commissioner provided information on Official Languages when elections and plebiscites were held to ensure materials were available in the appropriate languages and that they were in written and/or oral form as required.

File # 163(a)(b)
A researcher contacted the Languages Commissioner for comments on the importance of native language broadcasting programs. The Languages Commissioner provided very supportive comments.

File # 179(a)(b)
Since few people seemed to have information, the Languages Commissioner distributed brochures, booklets, posters, notices to all MLA's, the media, and all regions and communities in the NWT about French Week in March and Aboriginal Languages Day, March 31st, to encourage them to advertise and to do something special.

E. Major Investigations

One major investigation was initiated this year. As this involves gathering detailed information and meeting with a number of groups and individuals, the investigation is still on-going and cannot yet be reported.

CHAPTER 6:
SPECIAL STUDIES CONDUCTED BY THE LANGUAGES COMMISSIONER

A. What Special Studies Were Done and Why?

Under Sections 20 to 22 of the NWT *Official Languages Act*, the Languages Commissioner has the authority to conduct investigations on her own initiative. Three special studies were completed in 1992-93. The completed studies include:

1. Survey of policy sections of GNWT departments;
2. Survey of employees of GNWT, Legislative Assembly, boards and agencies;
3. Analysis of Canada-NWT Agreements on Aboriginal Languages and French.

Study #4 involves the following:

4. Survey of GNWT Official Languages programs and services in each community;

This was discontinued because GNWT did not want the Languages Commissioner to contact GNWT offices directly. GNWT is currently conducting their own studies of demand for Official Languages services and their employees' capabilities of offering these services.

Two other special studies were initiated in 1992-93 and are still in progress. They are:

5. Survey of language services and programs in non-governmental organizations;
6. Survey of community residents' awareness of and attitudes to Official Languages.

Once study #5 is completed, a directory will be produced of language services and programs available in each community, and we hope to update this frequently. It will be a public document. Anyone wishing to be listed in this directory should contact the Languages Commissioner's office. Survey #6 will be used to determine the public's awareness of and attitudes to Official Languages, and to help identify needs and priorities.

Preliminary results of the completed studies are provided in this report. Detailed reports of all studies will be available to the public upon completion.

B. Special Study #1: Survey of Policy Sections of GNWT Departments

In May and June 1992, policy sections of all departments of GNWT and of some boards and agencies were contacted to see if any policies existed about implementing Official Languages and to see if employees were aware of policies. Culture and Communications, Executive and Transportation did not provide any information. This study was done before the GNWT had met with the Languages Commissioner and established the practice of all inquiries being channelled through the deputy ministers. The following results were found. The Languages Commissioner's comments are in brackets.

i) Most departments indicated that there were no policies or guidelines in their department about Official Languages, or if there were, they were not aware of them. (As the individuals contacted worked in the policy sections, they should presumably know if policies or guidelines exist. Some people identified the bilingual bonus as one Official Language policy.)

ii) Some indicated that they did not feel there was a need for any policies. (This is perhaps due to people not knowing what is required in their department to interpret and implement the *Official Languages Act*.)

iii) Some said they felt there were no problems in their department regarding the delivery of programs and services in Official Languages. (Many people are not aware of the existence of members of the public who do not speak or understand English or who prefer to use another language.)

iv) Most departments felt there was a lack of funding to provide services and programs in all Official Languages. (There is quite a bit of funding for Official Languages initiatives available through Secretary of State that has lapsed each year.)

v) Several departments indicated that they felt there were different value systems for French and the Aboriginal Languages, and that this was causing some problems. (Most people are not aware of the different requirements under the *Official Languages Act* for French and English versus Aboriginal Languages.)

vi) Several departments indicated that they were not aware of any language activities in their department. (A number of these departments do have language activities, even if it is only the use of interpreters and translators.)

vii) Most departments said they knew there was an *Official Languages Act* but did not know the specific provisions that affected their department. (This is due to a lack of information provided to employees and the public about the *Official Language Act.*)

viii) Some departments said that they were not receiving funding under the Canada-NWT Agreements on Aboriginal Languages and French (even though one of these departments was), and did not know that they could submit proposals for funding. (All departments should be aware that they can request funds under the Secretary of State Agreements.) Others knew of the funding being received but did not know how it was being spent. Only a few departments indicated an awareness of the funding and how their department was using it.

ix) Some departments indicated that they did not know whom to ask for assistance in developing proposals for funding for Official Languages initiatives and some said they had requested funding but had not received what they had asked for, especially for Aboriginal Languages. They were told their proposals did not meet the required criteria, so they abandoned their initiative. (Departments require assistance in identifying needs and drafting proposals that meet the requirements for funding.) Some people felt that too much of the funding was going to only a few departments.

x) Some departments indicated that they had had difficulty following through on Official Languages initiatives because of a lack of interpreters and translators (although GNWT is now obligated in many cases to provide services in more than one language). Some said specialized vocabulary did not yet seem to exist in their field. (Two departments have received funding under the Secretary of State agreements for the development of specialized terminology for their field of expertise, and Language Bureau has two terminologist positions who keep track of specialized terminology for all the Native Languages.)

xi) Most departments indicated that their employees were not able to easily identify people in their department receiving the bilingual bonus, so they were not sure who to contact for assistance when it was required in their office. (Some method of identifying these individuals should be instituted, such as employees who speak another Official Language wearing a pin to identify them to fellow workers and the public.)

xii) Some said employees were not sure which languages their fellow employees speak, even if they knew they were getting a bilingual bonus. (Something like the pins mentioned above would solve this problem.)

xiii) Some departments felt the information from their department was not of interest to the public, therefore they saw no need in making it available in other Official Languages. (These departments could make an offer to the public to translate information on request.)

xiv) Some departments indicated that because they only served other government departments and employees, there was no need to provide information in any language other than English. (There are quite a few employees who do not speak, read or write English or have limited skills in this area.)

xv) One department said they did not produce written materials in Dene languages because no writing system exists. (There are standardized writing systems for all the NWT Aboriginal Languages.)

xvi) Several departments indicated that language training for employees would be useful, and that some people who had taken the French telephone greeting course had found it helpful. One department said that language training should be geared to the person's field of employment, so that they first learn the words they need to know on their job. (Language training is discussed further in the employee survey report in the next section.)

xvii) Boards and agencies indicated that they were not sure whether the *Official Languages Act* applied to them. (GNWT needs to clearly designate to which institutions the *Official Languages Act* applies.)

xviii) Most departments indicated they did not know which documents and forms had to be translated and into what languages. (This should be made clear to all departments. Some departments are insisting on the translation of documents that will not be useful, especially in written form for Dene/Metis communities.)

xix) Several departments said they felt it would be useful for representatives of policy sections to meet to establish a common policy for Official Languages for all departments, and that this policy should be developed with available funding in mind. (GNWT has indicated that it will begin working on guidelines and policies in the near future.)

xx) Two departments indicated that they felt that the Affirmative Action policy assured that people who speak Official Languages other than or in addition to English are given priority in hiring. (None of the Affirmative Action criteria relate to language abilities.)

xxi) One department suggested a 1-800 number for each Official Language should be established so people can contact the government by using their preferred language. They felt that as this exists for French, it should exist for other languages as well. (Often, members of the public who do not speak English or French cannot contact government offices on their own. Interpreters who work for Language Bureau are often tied up with assignments and not available when the public requires assistance.)

xxii) One department indicated that because native people do not need licences from their department, (although they do), there was no need to translate any of them. (If there are statutory requirements for some licences and tickets to be translated, the employees should be informed. There may also be some obligation based on Section 14 of the *Official Languages Act*, regarding services to the public.)

xxiii) Some departments said they did not know how to secure interpreting services in the communities when they needed it. Some said they did not know how to pay freelance interpreters they hired in communities. (It should be clear to all departments how they are to provide services to the public in the required Official Languages, since GNWT is now obligated in some situations to make such services available.)

Generally this survey indicated a lack of awareness about Official Languages and some confusion about how and why the GNWT is trying to implement this initiative. Some departments indicated a willingness to implement Official Languages services and programs, but were encountering barriers and frustration in trying to do so. Others expressed an indifference to Official Languages. It appears that GNWT has to do some work to develop an awareness of and supportive framework for this initiative within its departments, boards and agencies.

C. Special Study #2: Survey of Employees of GNWT, Legislative Assembly, Boards and Agencies

1. Introduction

The following analysis represents the preliminary results of our employee survey. A more detailed analysis will be done in the new year. Some sample comments made by employees are included to show both positive and negative attitudes to Official Languages.

2. Method

In September, 1992, 5,000 questionnaires were distributed in pay cheques to employees of GNWT, Legislative Assembly, boards and three agencies (WCB, Science Institute, Housing Corporation). Numerous individuals contacted our office to request copies when they realized that they had somehow been overlooked in the distribution process. This demonstrated an unexpected willingness on the part of employees to contribute their opinions. All surveys were originally sent out in English, with many notices via fax, HPDesk and the Government Bulletin stating that anyone who wanted the survey in another Official Language could obtain it. One reason for distributing English-only surveys was to find out if any employees would request them in other Official Languages, thereby possibly indicating their preferred language of work. Several requests were received for questionnaires in French, Inuktitut and Inuinnaqtun, so the survey was translated for these employees.

3. Purpose

The main purposes of this survey were to determine:

a. employee awareness about Official Languages and the *Official Languages Act*;

b. employee attitudes towards Official Languages and the *Official Languages Act*; and

c. use of Official Languages in the work place.

4. The Questionnaire

The questionnaire included 18 questions with room for comments (see Appendices). Employees filled in the questionnaire themselves and returned them voluntarily to our office.

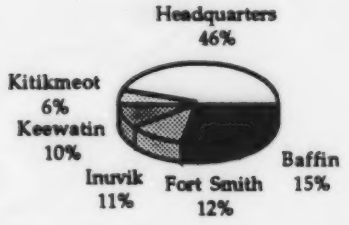
5. Sample

We received 1,304 completed questionnaires. This is a response rate of about 21.6% of all 6,048 employees, which we feel is a good size sample. Analysis revealed that we had a fairly representative sample regarding department, community, region, and type of position held. Responses revealed a wide range of opinions and varied levels of awareness. The following tables and figures describe the sample.

a) Comparison of Percentage of Employees by Region and Percentage of Respondents by Region

Figure V
Employee Distribution
by Region as of December 1992

Figure VI
Respondent Distribution by Region



Source : Dept of Personnel, Annual Report 1992

b) Response rate by department compared to percentage of employees by department.

Table XXVII shows what percentage of people responded in each department and agency, and what percentage of employees work in each of these departments and agencies. Since these percentages are quite close in most cases, we know that the responses were fairly representative.

Table XXVII
Comparison of Percentage of Employees

DEPARTMENT OR AGENCY	% of employees / dept	% respondents / dept
Executive	2.6	4.5
Legislative Assembly	0.4	0.8
Personnel	1.9	2.5
Finance	2.5	5.2
Municipal & Community Affairs	2.8	6.4
Transportation	4	4
Government Services & Public Works	10.6	13.2
Social Services	3.6	5.6
Renewable Resources	6.3	7.6
Energy Mines & Petroleum Resources	0.4	0
Economic Development & Tourism	2.4	3.7
Education, Culture & Employment	32	27.2
Safety & Public Services	1.5	1.8
Justice	5.8	5.6
Health	19.7	8.1
NWT Housing Corporation	2.8	3.8
W.C.B.	0.7	0
TOTAL	100%	100%

Source : Department of Personnel, Annual Report 1992

Note: With the recent amalgamation of departments, there was some difficulty in comparing these figures. The figures shown for responses by department represent the department as identified by the employee. Boards are combined with the department responsible.

c) Respondents represented a wide variety of positions in the GNWT

Clerk	Linguist	Officer
Coordinator	Instructor	Foreman
Interpreter/Translator	Teacher/Educator	Counsellor
Legal Counsel	Secretary	Mechanic
Worker	Social Services Worker	Manager
Consultant	Specialist	Director
Plumber	Painter	Principal
Planner	Supervisor	Advisor
Superintendent	Towerman	Archivist
Seasonal Crew Member	Assistant Superintendent	Comptroller
Dean	Librarian	Administrator
Inspector	Biologist	Analyst
Staffing Assistant	Legislative Counsel	Engineer
Researcher	Toponymist	Fire Marshal
Constituency Assistant	Custodian	Electrician
Light Equipment Operator/Technician		

6. Results

6.1 Language Training for Employees

a) Are employees interested in language training?

One of the most frequent complaints received by the Languages Commissioner in 1992-93 was that there are no materials or courses for employees wishing to learn another Official Language. Because of this, question #7 of the employee survey was designed to determine how many people were actually interested in learning another Official Language or improving their Official Language skills.

Of the 1,304 questionnaires received, 1,250 (96%) answered this question. Of these, 1,095 said they would be interested in language training and only 155 said they would not.

Interested	1,095	=	87.5%
Not interested	155	=	12.4%

These results indicate that 87.5% of the respondents to question #7 are interested in language training. Even if all other employees had returned their questionnaires and responded negatively to this question, there would still be approximately 18.1% of all employees who are interested in language training. This is one out every six people. Since it is reasonable to assume that at least some of the people who did not return their questionnaires would also be interested, the percentage of employees interested in language training is undoubtedly higher than 18.1%.

The willingness of such a large number employees to take language training should not be ignored. There is obviously an opportunity for the GNWT, Legislative Assembly and boards to offer better service to the public in all Official Languages if language training is made available to these employees.

Since Section 14(2) of the *Official Languages Act* came into effect as of December 31, 1992, the GNWT should be making every possible effort to make Aboriginal Language services available in the Official Languages spoken in each region. Section 14(1) on French services to the public has been in effect since 1990.

Comments Made by Employees

"Best aid in cross cultural understanding."

"Good, as the new language gives them a better understanding of the others language and culture, knocking down many barriers and creating a deeper acceptance and understanding of one another."

b) Should language training be mandatory?

Only 49% of 1,255 respondents to this question said that language courses should be mandatory for employees who deal with the public; 51% said no.

Comments Made by Employees

"Being a teacher it would greatly benefit (my) relationship to the children and their parents."

"The government should be able to communicate with those whom it serves."

"You need commitment for it to work."

"I have worked for the GNWT for 1 year now on a contract basis. As a result I am ineligible for most language training opportunities."

"English is the language of business same as French. Leave it at that."

"You would be doing the world a great favour if you would not even bring up the language issue."

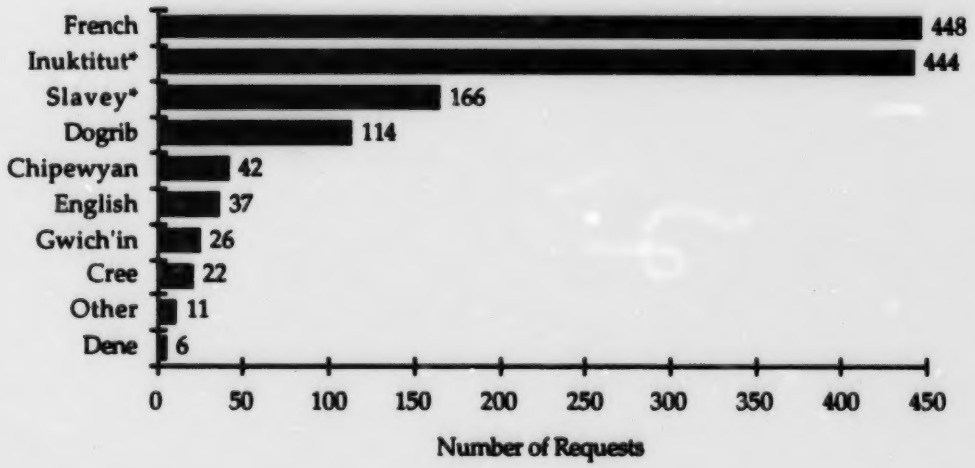
"This is a luxury we can't afford."(from a person in a management position).

"Language courses should always be optional. People are not as cooperative if forced to do something."

c) Which languages do employees want to learn?

Figure VII simply shows the number of employees who said they were interested in learning each language. Some people indicated an interest in learning more than one language, but it is probably not realistic for most employees to expect to learn more than one other Official Language. Even if people were to gain a very basic conversational level of fluency in the other local Official Language used most frequently in their community, it would assist the public in contacting government offices.

Figure VII
Preferred Language



**Inuktitut includes Inuvialuktun and Inuinnaqtun*
**Slavey includes North and South*

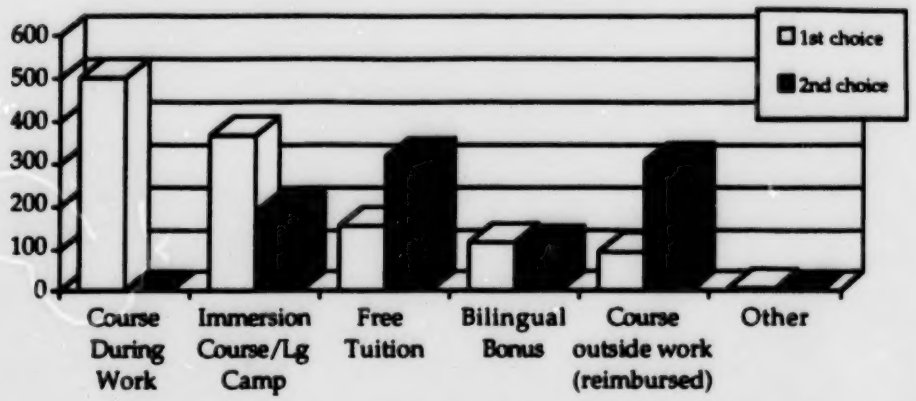
d) Why do they want to learn another language?

Table XXVIII
Motivation to Learn Another Language

	YES	NO
Desire to Learn for Work Communication	82%	18%
Desire to Learn for Personal Interest	97%	3%

e) Which incentives do employees prefer for learning another language?

Figure VIII
Incentives to Learn Official Languages



People overwhelmingly preferred to be able to take language training during working hours or to be able to take time off for training. Payment of a bilingual bonus was not a high motivating factor.

f) What discourages employees from learning another language?

Table XXIX
Factors Discouraging Language Learning

Don't have time	428
Don't have a teacher/instructor	348
Can't afford it	184
Think it is too hard to learn	107
There aren't any materials	81
Not interested	72

Comments made by Employees

"Languages are very difficult to me. Dogrib is structured differently and I know it would be a struggle. I think a few days in an ordinary situation, camping, sewing, cooking, etc., I could learn easier."

"I wish I could take a correspondence course. I travel a lot and therefore evening classes are not an option for me."

g) Should Government spend more money on language teaching?

Of the 1257 affirmative responses to this question, the following numbers indicated that the government should spend more money for each of the reasons listed:

Table XXX
Reasons for Spending

Necessary to improve public services	651
An opportunity to improve your career	273
A waste of money	175
Other	158

Almost 52% (651) of the 1257 respondents said that it was necessary to spend more on language teaching to improve public services. Only 12.5% responded that it was a waste of money.

Comments made by Employees

"A way to emphasize the importance of cultural diversity."

"Makes working in a cross cultural environment much more rewarding."

"A way of maintaining cultural pride."

"Helps to improve tolerance between ethnic groups."

"A waste of money if spent similarly to down south (federal gov't)."

"You are going to have to learn English eventually, why not start now."

6.2 Use of Languages on the Job

a) How do employees feel about having knowledge of other Official Languages in their job?

Question #6 of our survey asked employees whether or not a knowledge of other Official Languages would be a benefit in their job. There were 1,253 respondents to this question. They answered as follows:

Table XXXI
Opinions about Knowledge of Language

	Numbers	%
necessary	298	23.8%
helpful/beneficial	678	54.1%
interesting	117	9.3%
not useful	130	10.3%
no opinion	29	2.3%
other	1	.08%

Comments made by Employees

"English necessary, others not useful." (from a person in a management position)"

"It is useful, because a lot of people in the smaller communities do not understand what you are doing and are afraid to ask."

"It puts others at ease and opens the lines of communication."

b) How many employees can communicate in a language other than English?

This question asked employees if they communicate in any other language, not just in Official Languages. Based on 1,253 responses to this question, 676 employees (53%) said they communicate in a language other than English.

c) In which languages can employees communicate?

Of the 682 respondents, 251 listed two or more languages.

This indicates that the majority of respondents who communicate in languages other than English, speak French, Inuktitut and languages other than Official Languages.

Table XXXII
Persons Able to Communicate in Each Language

Language	Number of People
French	329
Inuktitut	189
Slavey	52
Dogrib	21
Inuinnaqtun	20
Chipewyan	19
Inuvialuktun	17
Cree	12
Gwich'in	6
Other than Official	208

Note: Department of Personnel has done a more thorough study of languages spoken by employees, and it is currently being updated.

d) Do employees use these other languages in their jobs?

Of 663 respondents, 342 (51.6%) said they use their other language(s) at work. This represents 26.3% of all respondents to the surveys and 5.7% of all employees.

e) How many employees use interpreters in their job?

Of the 1,260 respondents to this question 555 (44%) said they do use interpreters in their job; 705 (56%) said they did not.

f) For which languages do employees use interpreters?

Table XXXIII shows for which languages employees use interpreters in their job, based on 531 responses. Of these, 63 employees indicated that they use interpreters for more than one language. From this table we are able to determine that interpreters were used mostly for Inuktitut, Slavey, French and Dogrib. It is possible that some employees do not use interpreters as often as they should. Also many people rely on their friends and relatives to interpret for them when they go to government offices, or they send friends or relatives to an office instead of going there themselves because they know no one there speaks their language.

Table XXXIII
Number of Persons Using Interpreting in Their Job

Language	Number
Inuktitut	329
Slavey	74
French	68
Dogrib	62
English	19
Chipewyan	13
Gwich'in	9
Dene	3
Cree	2
Other than Official	11

Note: Inuktitut includes Inuvialuktun and Inuinnaqtun.

Slavey includes North and South Slavey.

6.3 Awareness of Official Languages

a) Do employees know which languages are Official in the NWT?

There are eight Official Languages in the NWT - English, French, Cree, Chipewyan, Dogrib, Gwich'in, Slavey and Inuktitut. Since Slavey includes North and South Slavey, and Inuktitut includes Inuvialuktun and Inuinnaqtun, there are actually eleven languages which could be named.

Some people reported "Dene languages" or "Inuit languages," but did not provide the specific names. Others provided names of specific dialects such as "Sigliq".

As long as the response indicated an awareness of which languages or which language groups were Official, they were calculated as correct. Table XXXIV shows how many languages employees were able to identify.

Table XXXIV
Knowledge of the Official Languages

Number of Languages Named	Number of Respondents
0	47
1	18
2	34
3	78
4	150
5	169
6	189
7	226
8	313
9	70
10	10
11	5

This indicates that the majority of employees were able to name between four (4) and eight (8) Official Languages.

b) Which languages did employees identify as Official Languages?

Language	Number of Employees who Identified Each Language
Inuktitut	1,110
French	1,079
English	1,048
Dogrib	898
Gwich'in	675
Slavey	643
Chipewyan	642
Cree	407
Inuvialuktun	378
South Slavey	339
North Slavey	331
Dene	140
Inuinnaqtun	53
Other Languages	77

c) Do employees receive enough information about Official Languages?

Of 1,241 respondents to this question, 314 (25%) said they do receive enough information about Official Languages; 927 (75%) said they did not.

Comments made by Employees
"Besides public relations (good and bad), I do not see positive action to support languages."
"Would not know where to look, there is not enough public awareness in this area."
"Only information seems to be about school programs but not for employees."
"I'm not aware that this program exists."

6.4 Support for School Language Programs

a) Do employees support compulsory language teaching in schools?

We asked employees if they support compulsory language teaching in schools. This is how they responded.

	Yes	No	Depends on Grade Level
French course	567	381	214
Aboriginal Languages Course	737	270	205

The majority of employees do support compulsory language teaching in schools.

D. Special Study #3: Analysis of the Canada-NWT Agreements on Aboriginal Languages and French

i. Secretary of State Language Agreements

GNWT has two agreements with Secretary of State for funding of programs and services in French and Aboriginal Languages. They are as follows:

a) *Canada-NWT Agreement on Minority Language Education and Second Official Language Instruction*; and

b) *Canada-NWT Cooperation Agreement on Aboriginal Languages and French.*

These agreements are examined in the following sections. Tables XXXIX and XL show all departments that have received funding under these language agreements since 1984 for French and/or Aboriginal Languages. (Most of the Tables for the following sections are grouped together at the end of this chapter.)

We note that there are more departments receiving funding for French programs and services than for Aboriginal Languages. The reasons for this are not clear. Any department or government institution can request funding under these agreements. We noted in the Survey of Policy Sections in this chapter, however, that a few departments had submitted proposals for Aboriginal Languages, but had been refused. More attention should be paid to these other departments in future to ensure that they are eligible for funding for Aboriginal Language initiatives.

ii. Canada-NWT Agreement on Minority Language Education and Second Language Instruction

Agreements for French language programs in the schools have been in place in the NWT since the mid-1970's. (See Chapter 2 Part C.) After the adoption of the *Charter of Rights and Freedoms* in 1982, a new agreement was signed in December 1993 called the *Canada-NWT Agreement on Minority Language Education and Second Language Instruction*. In the NWT, part of the agreement provides for education in French where the students are entitled

to benefits under Section 23 of the *Charter*.[1] This funding is only provided "where numbers warrant". The only program that has been offered so far is at École Allain St. Cyr in Yellowknife, and classes have been offered in Iqaluit and Nanisivik.

Francophone parents have also asked for the establishment and management of their own school board, for education programs in French as a first language throughout the NWT. This right was recognized for Alberta in the *Mahé* decision in 1990. To date, the GNWT has not recognized this right in the NWT, because they feel the number of students is too small. In March 1993, the Supreme Court handed down a decision on school governance in Manitoba that may or may not affect the NWT.

Aside from money for first language French education, this agreement also provides for part of the costs for French second language instruction, where students are either in core French classes (where French is studied as a subject a few hours a week), or immersion programs (where French is the language of instruction for all or most of the day for students learning French as second language). This agreement pays for "additional" costs that the GNWT incurs in providing French language programs. Teachers' salaries are not included in the Canada contribution, except for teachers of French as a first language, because these are not considered to be "additional costs" to the GNWT. If French were not taught as a second language, the GNWT would have to have teachers in those positions to teach other subjects in English or other Official Languages.

The main costs covered by this agreement are as follows:

- an Education Officer;
- a Curriculum Coordinator;
- teachers' and assistants' salaries for French as a first language;
- assistants' salaries for core French and French immersion programs (<u>not</u> teachers' salaries for these programs);
- student assistance (bursaries for post-secondary students and partial reimbursement for travel for summer language training);
- teachers' professional development;
- texts, library books, and some other O&M costs.

The student bursaries only apply to post-secondary education. There is no funding for high school students who want to attend a school where French as a first language is the language of instruction for all subjects. Since there are no such high schools in the NWT, some of these students choose to go south to high schools where such programs are available, but GNWT has not agreed to pay for this. These students derive the right to this education from the *Charter*, but the *Charter* says these cost will be paid out of government funds only "where numbers warrant". The GNWT maintains that the numbers are not large enough to constitute an obligation on their part for this particular program.

Because these francophone students derive their rights from the *Charter*, rather than from the NWT *Official Languages Act*, this matter is not strictly within the Languages Commissioner's jurisdiction. However, the NWT *Official Languages Act* also states that GNWT can grant rights and provide services "in any Official Language in addition to the rights and services provided in this Act and the regulations". Therefore, the Languages Commissioner has continued to deal with these matters by trying to encourage GNWT to extend benefits to these students, even though GNWT has decided that they are not currently obligated to do so.

The following is a summary of the funds provided to the GNWT under this Agreement for the last three years. We have not included an analysis of the agreements prior to 1990-91, but details are available from the Department of Education, Culture and Employment Programs for those who are interested.

From these statements, we see that GNWT spent all of the money provided by Secretary of State for French language programs during 1990-92. GNWT has also had to contribute funds in addition to the Secretary of State funding for these programs. These over-expenditures are in addition to the costs covered regularly by GNWT for teachers' salaries and other O&M for core French and French immersion programs.

Table XXXV
Financial Statements
Canada-NWT Agreement, Minority-Language Education and Second-Language Instruction
1990-1991

Categories of contribution	CONTRIBUTION	GNWT Expenses	UNDER (OVER)
Infrastructure Support	$135,000	$119,331	$15,669
French- First Language Education	$344,000	$385,500	($41,500)
French - Second Language Education	$454,700	$460,615	($5,915)
Both French First and Second	$33,150	$28,310	$4,840
Teacher Training and Development	$28,600	$32,104	($3,504)
Student Support	$39,000	$40,203	($1,203)
TOTAL	$1,034,450	$1,066,063	($31,613)

Source : 1990-91 Financial Statements of the Agreement.

Table XXXVI
Financial Statements
Canada-NWT Agreement, Minority-Language Education and Second-Language Instruction
1991-1992

Categories of contribution	CONTRIBUTION	GNWT Expenses	UNDER (OVER)
Infrastructure Support	$135,000	$207,445	($72,445)
French- First Language Education	$398,200	$397,950	$250
French - Second Language Education	$407,100	$426,795	($19,695)
Both French First and Second	$41,900	$53,606	($11,706)
Teacher Training and Development	$24,800	$27,412	($2,612)
Student Support	$38,000	$40,424	($2,424)
TOTAL	$1,045,000	$1,153,632	($108,632)

Source : 1991-92 Financial Statements of the Agreement.

Table XXXVII
Contribution
Canada-NWT Agreement, Minority-Language Education and Second-Language Instruction
1992-1993

Categories of contribution	CONTRIBUTION	GNWT Expenses	UNDER (OVER)
Infrastructure Support	$135,000		
French- First Language Education	$399,000		
French - Second Language Education	$404,700		
Both French First and Second	$41,000		
Teacher Training and Development	$19,800		
Student Support	$45,500		
TOTAL	$1,045,000	not available	not available

Source : 1992-93 Appendices of the Agreement.

iii. Canada-NWT Cooperation Agreements on Aboriginal Languages and French 1984-1991 and 1991-1994.

These agreements with Secretary of State pay for services and programs in Aboriginal Languages and French, (other than those for French education as explained in Section 2 above). These agreements were initiated by GNWT in 1984 when the NWT Official Languages Act was passed. (See Chapter 2 for a history of the Act and the agreements.) So far, there have been two Cooperation Agreements. The Protocols were signed in 1984 and 1991.

The first agreement provided $16 million for Aboriginal Languages for the period 1984-89. Since GNWT did not spend all of the money allotted in this five year period, the agreement was amended twice (1986 and 1990) to re-distribute the funding, and finally extended to March 1991. During this period, Secretary of State paid the costs of implementing French as an Official Language, but we have had difficulty verifying some of the amounts, so no figures are reported in the following tables for 1984-86 for French.

In August 1991, a new agreement was signed that included French and Aboriginal Languages in the same agreement. For 1991-94, $12.8 million was allocated for French, while $18 million was allocated for Aboriginal Languages. This agreement expires March 31st, 1994, and negotiations for a new agreement will have to begin late in 1993 or early in 1994 to ensure continuation of funding from Secretary of State. A federal election could delay this process.

Each year, GNWT assembles the Annual Appendices of specific projects that have requested funding and gets approval from Secretary of State for these allocations. Tables XXXIX and XL at the end of the chapter show which departments and agencies have received funding under the Secretary of State agreements for French 1986-1994 and Aboriginal Languages 1984-1994.

These Annual Appendices have always been signed after April 1, when the funding is supposed to be available to projects. GNWT approves interim funding to these projects until Secretary of State approves the Appendices. This delay in signing the Annual Appendices has caused a number of

problems in the delivery of programs and services. Some projects have started up and had to suspend operations; all projects have had to try to plan a year's activities without knowing exactly what their annual budget was. They may have been frugal in the first few months, and then found out that they had large sums of money to spend in the last seven or eight months of the year. This is one reason why money has lapsed.

However, GNWT does have authority under these agreements to transfer funds between projects, up to 25% of the original amount approved for any given project, without Secretary of State's approval. Any larger changes require their approval. It appears that GNWT should have begun to re-allocate some of the funds earlier each year, knowing that they could anticipate an excess at the end of the year due to the late start-up date for many projects.

Secretary of State has already announced cuts to their funding for the next few years. In March 1993, a 10% cut was announced, which affected the Canada-NWT agreements. They have also indicated additional cuts will be made in subsequent years. When these cuts were announced, in light of the fact that GNWT had lapsed money every year under the Secretary of State agreements, it was difficult to provide convincing arguments that the cuts would affect the delivery of services and programs in the NWT.

The Languages Commissioner wrote a detailed six-page letter to Secretary of State outlining many reasons for Secretary of State to reconsider its decision. (A copy of this letter is available on request.) Despite protests from GNWT, MLA's and the Languages Commissioner, Secretary of State has refused to reinstate the original levels of funding. These cuts, they say, are across the board, and the GNWT is no exception.

In Table XL, at the end of the chapter, we see the original amounts that were allocated for Aboriginal Languages for 1984-89. In 1986 and 1990, as shown in the table, these amounts were re-allocated because the allotted amounts had not been spent.

GNWT could have expended more money than they did in any of the years 1984 to 1990. Many projects and departments asked for additional funding during these years but were told there was no more funding available. GNWT has indicated that they could not determine whether or not excess funds would be available for redistribution in any of these years because the accounting system did not permit them to determine excess funds until after the end of each fiscal year. They explained that departments were not reporting excess funds soon enough for them to be made available to other projects.

This may have been acceptable for the first few years, but in 1991-92, the eighth year of the agreements, the amount of under-expenditure was still large - $777,795 for Aboriginal Languages and $1,159,641 for French. At the time of writing, the expenditures for 1992-93 had not yet been verified, but they are estimated to be approximately $400,000 for Aboriginal Languages and $1,000,000 for French. GNWT has indicated that a financial advisor who will monitor only Secretary of State funded projects will be appointed in the new year, so this situation should not continue.

Under these agreements, most of the money is dedicated to specific projects within government departments. Almost without exception, all departments have lapsed funding each year for both French and Aboriginal Languages. (For 1990-91, no expenditure reports were available by department for Aboriginal Languages, so we cannot determine which departments lapsed funding, if any.) Some departments have more than one project; sometimes some of these projects spent their allocation, while others didn't, so the department as a whole ended up with a surplus. We have already seen, in Tables XXXIX and XL, which departments received funding from Secretary of State each year. The following table shows the only years for which these allocations were completely spent and by which departments.

Table XXXVIII
Years in Which Funds From Secretary of State Were Completely Spent

Department	Aboriginal Languages	French
Health	89-90	
Education*	88-89	
Culture & Communications	89-90	89-90
DPW	91-92	
Justice		90-91
WCB		90-91
Safety & Public Services		90-91
Executive		91-92
Legislative Assembly		91-92

**Education did spend all of the money allotted to them each year under the agreements for first and second language French programs in the schools.*
Source : Canada-NWT Agreements and Financial Statements 1984-1993.

In addition, Culture and Communications and Education (now the Department of Education, Culture and Employment Programs) has money available under the agreement for community language development projects. In 1991-92, of the $500,000 available in Culture and Communications for Aboriginal Language Contributions to other organizations and community projects, $148,734 was unspent, despite the fact that proposals were received totalling $1,603,262. Also, $68,513 of the available literacy money for Aboriginal Languages was not spent.

In the same year, of the $210,000 available for the Community and Cultural Development Program for French, $180,000 was administered by the Fédération Franco-TéNOise and spent. Part of the administration funds were given to Culture and Communications of which $24,591 was unspent.

We do not have details of which community projects lapsed funding or why. It appears, however, that GNWT should make a better effort to ensure that the funding for community projects is committed and spent. For many projects, this is the only source of funding available and often community

projects respond more directly to local priorities and needs than government initiatives.

Tables XXXIX to LI provide the details of allocations and expenditures for Aboriginal Languages 1984-1991, and French 1986-1991, and French and Aboriginal Languages for 1991-1992. Tables showing allocations for 1992-93 and 1993-94 are also included but no expenditures can yet be reported.

Footnotes for Chapter 6

1. Section 23 of the *Charter of Rights and Freedoms* reads as follows:

(1) Citizens of Canada

(a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or

(b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,

have the right to have their children receive primary and secondary school instruction in that language in that province.

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

(3) The rights of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province

(a) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and

(b) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

Table XXXIX
Departments & Agencies Receiving Funding under CANADA-NWT AGREEMENTS (french) 1984-94

DEPARTMENTS & AGENCIES	1983/86	86/87	87/88	88/89	89/90	90/91	91/92	92/93	93/94
Culture & Communications		X	X	X	X	X	X	X	X
Education	X	X	X	X	X	X	X	X	X
Justice			X	X	X	X	X	X	X
Health						X	X	X	X
Executive				X	X	X	X	X	X
Personnel				X	X	X	X	X	X
Social Services						X	X	X	X
Public Works				X	X	X	X	X	X
M.A.C.A.							X	X	X
Renewable Resources							X	X	X
Safety & Public Services						X	X	X	X
Finance							X	X	X
Legislative Assembly					X	X	X	X	X
Transportation							X	X	X
Government Services			X	X	X	X	X	X	X
Energy, Mines & Petroleum Resources									
Economic Development & Tourism							X	X	X
W.C.B.			X	X	X	X	X	X	
Housing Corporation							X	X	X
Women's Directorate							X	X	

Table XL
Departments & Agencies Receiving Funding under CANADA-NWT AGREEMENT (aboriginal) 1984-94

DEPARTMENTS & AGENCIES	1984/86	86/87	87/88	88/89	89/90	90/91	91/92	92/93	93/94
Culture & Communications	X	X	X	X	X	X	X	X	X
Education	X	X	X	X	X	X	X	X	X
Justice		X		X	X	X	X	X	X
Health			X	X	X	X	X	X	X
Executive	X							X	X
Personnel									
Social Services							X		
Public Works							X	X	X
M.A.C.A.									
Renewable Resources									X
Safety & Public Services									
Finance									
Legislative Assembly									
Transportation							X		
Government Services							X	X	X
Energy, Mines & Petroleum Resources									
Economic Development & Tourism									
W.C.B.									
Housing Corporation									
Women's Directorate									

Source : Appendices of the Canada-NWT Cooperation Agreement for French and Aboriginal Languages in the Northwest Territories and Canada-NWT Agreement on Contributions for French Services and Aboriginal Languages.

In the 1993-94 fiscal year, Culture and Communications & Education & part of Personnel were amalgamated to create Education, Culture and Employment Programs. Also the departments of Public Works and Government Services were amalgamated.

Education received funding under two agreements: the Canada-NWT Cooperation Agreement and also the Canada-NWT Agreement on Minority Language Education and Second Language Instruction.

Table XLI
CANADA-GNWT Agreement for Aboriginal Languages
Allocation and Expenditures

	1984-88	88/86	86/87	87/88	88/89	1989/90 extra year	1990/91 extra year	TOTAL
ALLOCATION ACCORDING TO 1984 AGREEMENT (original agreement)	$1,000,000	$4,000,000	$4,000,000	$3,500,000	$3,500,000			$16,000,000
REALLOCATION ACCORDING TO 1986 AMENDMENT	included in 88-86	$1,900,000	$3,100,000	$3,500,000	$3,500,000	$4,000,000		$16,000,000
REALLOCATION ACCORDING TO 1988 AMENDMENT	included in 88-86	$1,317,000	$1,764,000	$2,853,000	$3,267,000	$3,563,000	$3,234,000	$16,000,000
EXPENDITURES	included in 88-86	$1,348,144	$1,764,710	$2,853,215	$3,265,368	$3,334,208	$3,434,335 *	$16,000,000

Source : Evaluation of the Canada-NWT Contributions Agreement on Aboriginal Language 1988-89, GNWT, March 1991, and the Canada-NWT Cooperation Agreements.

** This amount is an assumption because we don't have any expenditure reports. It is based on $16,000,000 spending.*

Table XLII

How Much Canada Contributed to GNWT for Aboriginal Languages

DEPARTMENTS	1984/86	86/87	87/88	88/89	89/90	1990/91 extra year	TOTAL 1984/91
EXECUTIVE	$496,970	NIL	NIL	NIL	NIL	NIL	
EDUCATION	$969,030	$1,529,000	$2,018,000	$1,722,600	$1,682,000	$1,500,000	
CULTURE & COMMUNICATIONS	$434,000	$1,293,474	$1,377,000	$1,266,550	$1,453,000	$1,421,500	
HEALTH	NIL	$182,886	$105,000	$154,000	$92,000	$83,000	
JUSTICE	NIL	$94,640	NIL	$356,850	$356,000	$321,500	
TOTAL based on original 1984 allocation	$1,900,000	$3,100,000	$3,500,000	$3,500,000	$3,583,000	$3,236,000*	
TOTAL based on 1988 amendment	$1,900,000	$3,100,000	$3,500,000	$3,500,000	$4,000,000		
TOTAL based on 1990 amendment	$1,317,000	$1,764,000	$2,853,000	$3,247,000	$3,583,000	$3,326,000*	$16,000,000

* *The Protocol indicates $3,236,000 for 1990-91 which makes a total of $16,000,000 but the Appendices indicate $3,326,000 for 1990-91 which would make a total of $16,090,000.*

Table XLIII

How Much GNWT Spent out of Canada Contribution for Aboriginal Languages

DEPARTMENTS	1984/86	86/87	87/88	88/89	89/90	1990/91 extra year	TOTAL 1984/91
EXECUTIVE	$449,128	NIL	NIL	NIL	NIL		
EDUCATION	$674,535	$773,464	$1,566,146	$1,749,555	$1,464,087		
CULTURE & COMMUNICATIONS	$224,481	$925,416	$1,210,587	$1,227,089	$1,453,106	not available	
HEALTH	NIL	$20,011	$76,482	$63,081	$92,000		
JUSTICE	NIL	$45,819	NIL	$225,663	$325,015		
TOTAL	$1,348,144	$1,764,710	$2,853,215	$3,265,388	$3,334,208	$3,434,335*	$16,000,000

Source : Evaluation of Canada-NWT Contributions Agreement on Aboriginal Languages 1985-1990, GNWT, March 1991 and Financial Statements.

* *This amount is an assumption because we don't have any expenditure reports. It is based on $16,000,000 spending.*

Table XLIV
How Much Canada Contributed to GNWT for French Services 1986-91

DEPARTMENTS	1986/87	87/88	88/89	89/90	90/91	TOTAL
Culture & Communications	$211,000	$782,190	$1,070,400	$1,179,000	$965,000	$4,207,590
Government Services		$137,600	$97,000	$116,000	$110,000	$460,600
Justice		$547,100	$286,500	$435,000	$584,600	$1,853,200
W.C.B.		$66,800	$55,000	$50,000	$48,000	$219,800
Executive			$91,226	$45,000	$50,200	$186,426
Public Works			$102,000	$100,000	$150,000	$352,000
Personnel			$91,200	$181,000	$203,000	$475,200
Legislative Assembly				$40,000	$220,000	$260,000
Health					$135,000	$135,000
Safety & Public Services					$2,400	$2,400
Social Services					$23,200	$23,200
TOTAL	$211,000	$1,533,690	$1,793,326	$2,146,000	$2,491,400	$8,175,416

Table XLV
How Much GNWT Spent out of Canada Contribution for French Services 1986-91

DEPARTMENTS	1986/87	87/88	88/89	89/90	90/91	TOTAL
Culture & Communications			$939,202	$1,294,809	$853,895	$3,087,906
Government Services			$94,930	$110,246	$96,760	$301,935
Justice			$242,127	$335,803	$640,643	$1,218,572
W.C.B.			$23,979	$38,073	$47,960	$110,012
Executive			$58,260	$44,517	$45,916	$148,692
Public Works			data not available	$70,700	$87,566	$158,266
Personnel			$78,235	$82,335	$96,650	$257,220
Legislative Assembly				0*	$141,358	$141,358
Health					$73,330	$73,330
Safety & Public Services					$2,400	$2,400
Social Services					$16,988	$16,988
TOTAL	$211,000	$1,533,690	$1,436,733	$1,976,483	$2,103,466	$7,261,372

** The Legislative Assembly data show $30,697 in expenditures on their own budget, so it's not indicated in the total of theseExpenditures.*

Note : The 1986-87 and 1987-88 totals are based on the assumption that total allocated funds were spent because no detailed expenditure reports are available.

Source : Canada-NWT Agreement on Contributions for French Services and Financial Statements of GNWT.

Table XLVI
Canada - NWT Cooperation Agreement for Aboriginal Languages
1991-92 (first year of the new agreement)

Departments	Contribution	Expenditure	Under (Over)
Culture & Communications	**$2,262,500**	**$1,933,050**	**$329,450**
Directorate	*$150,000*	*$0*	*$150,000*
Language Bureau	*$1,216,900*	*$1,211,588*	*$5,312*
Orthographies	*$95,600*	*$69,932*	*$25,668*
Language Contributions	*$500,000*	*$351,266*	*$148,734*
Broadcast Media	*$300,000*	*$300,264*	*($264)*
Education	**$2,255,000**	**$2,088,299**	**$166,701**
Teacher Education	*$450,000*	**$508,621*	**($58,621)*
Language Development	*$1,475,000*	*$1,344,895*	*$130,105*
Promotion of Native Teachers	*$30,000*	*$3,296*	*$26,704*
Advanced Education - Literacy	*$300,000*	*$231,487*	*$68,513*
Government Services	**$25,000**	**$0**	**$25,000**
Health	**$125,000**	**$116,727**	**$8,273**
Justice	**$325,000**	**$316,561**	**$8,439**
Public Works	**$10,000**	**$10,000**	**$0**
Social Services	**$50,000**	**$22,955**	**$27,045**
Transportation	**$10,000**	**$0**	**$10,000**
Arctic College	**$637,500**	**$434,612**	**$202,888**
Interpreter-Translator Program - Training	*$221,000*	*$155,343*	*$65,657*
Interpreter-Translator Program- Terminology & Material	*$26,800*	*$25,296*	*$1,504*
Training	*$290,700*	*$234,979*	*$55,621*
Literacy Training	*$99,000*	*$18,994*	*$80,006*
Total	**$5,700,000**	**$4,922,204**	**$777,795**

or 14% under

Source : Appendix "A", Aboriginal Languages, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements, 1991-92.

This is Table XII of the Summary report.

* These figures are based on the Languages Commissioner's calculations, since we did not receive a financial statement from the department for this project.

Table XLVII
Canada-NWT Cooperation Agreement for Aboriginal Languages
1992-93

Departments	Contribution	Expenditure	Under (Over)
Education, Culture & Employment	**$4,632,000**	**$4,312,219**	**$319,781**
Aboriginal Language Development	*$1,650,000*	*$1,627,641*	*$22,359*
Broadcast Media	*$345,000*	*$391,261*	*($46,261)*
Language Bureau	*$1,200,000*	*$1,023,354*	*$176,646*
Orthographies & Terminology	*$110,000*	*$46,833*	*$63,167*
Language Enhancement Program	*$500,000*	*$468,549*	*$31,451*
Museums/Heritage	*$67,000*	*$59,491*	*$7,509*
Teacher Education	*$450,000*	*$404,685*	*$45,315*
Aboriginal Language Literacy	*$280,000*	*$289,110*	*($9,110)*
Specialist Teachers Councils	*$30,000*	*$1,294*	*$28,706*
Executive	**$300,000**	**$300,125**	**($125)**
Government Services & Public Works	**$10,000**	**$9,798**	**$202**
Health	**$100,000**	**$124,498**	**($24,498)**
Justice	**$330,000**	**$352,221**	**($22,221)**
Arctic College	**$628,000**	**$475,455**	**$152,545**
Interpreter-Translator Program - Training	*$200,000*	*$242,718*	*($42,718)*
Interpreter-Translator Program - Linguistic Analysis	*$25,000*	*$14,707*	*$10,293*
Aboriginal Language Teacher Program - Training	*$303,000*	*$199,957*	*$103,043*
Literacy Training	*$100,000*	*$18,073*	*$81,927*
Total	**$6,000,000**	**$5,574,315**	**$425,685**

Source : Appendix "A", Aboriginal Languages, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements, 1992-93.

This is Table XIII of the Summary report.

Table XLVIII

Canada-NWT Cooperation Agreement for Aboriginal Languages
1993-94

Departments	Contribution	Expenditure	Under (Over)
Education, Culture & Employment	**$4,945,000**		
Aboriginal Language Development	*$1,370,000*		
Broadcast Media	*$360,000*		
Language Bureau	*$772,000*		
Language Enhancement Program	*$540,000*		
Museums/Heritage	*$68,000*		
Teacher Education	*$550,000*		
Aboriginal Language Literacy	*$232,000*		
Daycare	*$45,000*		
Arctic College	*$600,000*		
Language Research, Development & Promotion	*$408,000*		
Executive	*$126,000*		
Government Services & Public Works	**$10,000**		
Health	**$90,000**		
Justice	**$423,000**		
Legal Interpreting Program	*$415,000*		
Programs & Legislation	*$8,000*		
Renewable Resources	**$76,000**		
Total	**$5,670,000**	**not available**	**not available**

Source : Appendix "A", Aboriginal Languages, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages.

This is Table XIV of the Summary report.

Table XLIX
Canada - NWT Cooperation Agreement for French Services
1991-92 (1st year of the new agreement)

Departments & Agencies	Contribution	Expenditure	Under (Over)
Culture & Communications	**$1,566,600**	**$1,037,401**	**$529,199**
Directorate	$377,600	$301,295	$76,305
Publication & Production	$205,000	$78,274	$126,726
Language Bureau	$669,000	$383,673	$285,327
Museums/Heritage	$30,000	$14,867	$15,133
Library Services	$75,000	$73,883	$1,117
Community / Cultural Development Program	$210,000	$185,409	$24,591
Economic Development & Tourism	**$33,600**	**$32,392**	**$1,208**
Education	**$11,300**	**$5,046**	**$6,254**
Executive	**$52,200**	**$53,101**	**($901)**
Finance	**$7,200**	**$3,600**	**$3,600**
Government Services	**$150,000**	**$148,109**	**$1,891**
Health	**$417,200**	**$152,674**	**$264,526**
Policy Development	$75,000	$79,681	($4,681)
Provision of Services	$291,000	$72,693	$218,307
Health Promotion	$51,200	$300	$50,900
Justice	**$736,700**	**$695,178**	**$41,522**
Legislation	$595,400	$604,672	($9,272)
Policy & Planning	$56,000	$69,263	($13,263)
Court Services	$12,400	$6,643	$5,757
Legal Aid	$5,500	$0	$5,500
Legal Interpreting	$28,000	$5,000	$23,000
Legal Division	$37,200	$8,400	$28,800
Legal Registries	$2,200	$1,200	$1,000
Legislative Assembly	**$185,000**	**$215,482**	**($30,482)**
Municipal & Community Affairs	**$6,000**	**$0**	**$6,000**
Personnel	**$290,000**	**$140,563**	**$149,437**
Policy & Planning	$50,000	$22,784	$27,216
Services to Employees & Departments	$240,000	*$117,779	*$122,221
Public Works	**$365,000**	**$314,180**	**$50,820**
Accomodation services	$128,000	$137,531	($9,531)
Policy & Planning	$237,000	$176,649	$60,351
Renewable Resources	**$6,000**	**$1,200**	**$4,800**
Safety & Public Services	**$2,400**	**$1,913**	**$487**
Social Services	**$89,800**	**$31,645**	**$58,155**
Transportation	**$54,800**	**$469**	**$54,331**
Women's Directorate	**$15,000**	**$1,344**	**$13,656**
N.W.T. Housing Corporation	**$10,000**	**$4,863**	**$5,137**
W.C.B.	**$1,200**	**$1,200**	**$0**
TOTAL	**$4,000,000**	**$2,840,359**	**$1,159,641**
			or 29% under

Source : Appendix "B", French, in the Canada-NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements 1991-92.

This is Table XV of the Summary report.

* These figures are based on the Languages Commissioner's calculations since we did not receive a financial statement from the department for this project.

Table L

Canada-NWT Cooperation Agreement for French Services
1992-93

Departments & Agencies	Contribution	Expenditure	Under (Over)
Education, Culture & Employment	$1,152,500	$1,043,021	$109,479
Broadcast Media	$50,000	$49,382	$618
Language Bureau	$635,000	$543,514	$91,486
Museums/Heritage	$70,000	$60,421	$9,579
Library Services	$55,000	$47,165	$7,835
Community / Cultural Development Program	$248,000	$283,171	($35,171)
Training Services	$15,000	$1,650	$13,350
Centralized Information Service	$74,000	$57,718	$16,282
Literacy Public Awareness Campaign	$5,500	$0	$5,500
Economic Development & Tourism	$43,000	$19,819	$23,181
Executive	$382,400	$335,526	$46,874
Official Languages Implementation	$375,000	$334,326	$40,674
French Language Services	$7,400	$1,200	$6,200
Finance	$7,200	$3,602	$3,598
Government Services & Public Works	$395,000	$373,179	$221,821
Policy and Planning	$140,000	$111,019	$28,981
Accomodation Services	$125,000	$73,929	$51,071
Publications and Production	$180,000	$68,712	$111,288
Forms and documents	$150,000	$119,518	$30,482
Health	$533,200	$425,372	$107,828
Policy and Planning	$96,000	$99,194	($3,194)
Health Centres and Hospitals	$411,000	$312,883	$98,117
Health Promotion	$26,200	$13,295	$12,905
Justice	$724,300	$565,302	$158,998
Programs and Legislation	$610,000	$530,388	$79,612
Court and Court Related Services	$72,100	$34,914	$37,186
Legal Division	$42,200	$0	$42,200
Legislative Assembly	$310,000	$247,428	$62,572
Municipal & Community Affairs	$4,000	$0	$4,000
Personnel	$344,300	$159,907	$184,393
Policy & Planning	$30,000	$0	$30,000
Services to Employees & Departments	$314,500	$159,906	$154,594
Renewable Resources	$6,000	$2,400	$3,600
Safety & Public Services	$52,400	$32,948	$19,452
Social Services	$119,300	$87,166	$32,134
Transportation	$20,000	$21,033	($1,033)
N.W.T. Housing Corporation	$5,000	$2,368	$2,632
W.C.B.	$1,200	$900	$300
TOTAL	$4,300,000	$3,319,966	$980,034

Source : Appendix"B", French, in the Canada - NWT Cooperation Agreement for French and Aboriginal Languages, and the financial statements, 1992-93.

This is Table XVI of the Summary report.

Table LI
Canada-NWT Cooperation Agreement for French Services
1993-94

Departments & Agencies	Contribution	Expenditures	Under (Over)
Education, Culture & Employment	**$1,432,100**		
Broadcast Media	*$45,000*		
Language Bureau	*$816,300*		
Museums/Heritage	*$95,800*		
Library Services	*$24,000*		
Community / Cultural Development Program	*$316,000*		
Training Services	*$18,000*		
Centralized Information Service	*$72,000*		
Literacy Public Awareness Campaign	*$5,500*		
Arctic College	*$25,000*		
Daycare	*$14,500*		
Economic Development & Tourism	**$112,400**		
Delivery of Programs and Services	*$37,400*		
Fort Smith Mission Historic Park	*$75,000*		
Executive	**$389,350**		
Finance	**$3,600**		
Government Services & Public Works	**$470,000**		
Policy and Planning	*$120,000*		
Accomodation Services	*$125,000*		
Publications and Production	*$85,000*		
Forms and documents	*$140,000*		
Health	**$383,700**		
Policy and Planning	*$77,000*		
Health Centres and Hospitals	*$271,700*		
Health Promotion	*$35,000*		
Justice	**$700,650**		
Programs and Legislation	*$555,250*		
Court and Court Related Services	*$38,400*		
Legal Division	*$6,000*		
Legal Interpreting Program - French	*$71,000*		
Justice Special Project	*$30,000*		
Municipal & Community Affairs	**$7,600**		
Personnel	**$334,700**		
Enhancement of GHRS Database	*$50,000*		
Services to Employees and Departments	*$266,700*		
Fluency Testing	*$18,000*		
Renewable Resources	**$34,000**		
Safety & Public Services	**$20,000**		
Social Services	**$24,800**		
Transportation	**$120,100**		
N.W.T. Housing Corporation	**$17,000**		
W.C.B.	**$0**		
TOTAL	**$4,050,000**	**not available**	**not available**

Source : Appendix"B", French, in the Canada - NWT Cooperation Agreement for French and Aboriginal Languages.

This is Table XVII of the Summary report.

CHAPTER 7: RECOMMENDATIONS

A. General Comments

The following recommendations are based on complaints and inquiries and our studies of the 1992-93 activities of the institutions of the Legislative Assembly and GNWT. Since this report only covers the fiscal year ending March 1993, some actions may already have been taken to implement some of these recommendations.

Minor changes to the *Official Languages Act* that have been recommended by the Languages Commissioner will be brought to the Legislative Assembly for their approval in a Miscellaneous Bill in the current session. Other proposed changes based on the Languages Commissioner's comparison of the French and English versions of the Act and suggested re-wording of certain sections require consultation with the Department of Justice before they are presented to the Assembly.

Some of the following issues deal with sections of the Act that require clarification. These may or may not require amendments to the Act itself. They should be dealt with by the Legislative Assembly as soon as possible.

B. Changes to or Clarification of the *Official Languages Act*

1. That the Legislative Assembly establish a Standing Committee on Official Languages, or assign this responsibility to an existing committee, and that the Languages Commissioner and Official Languages Unit report regularly to this committee, and that the Annual Report of the Languages Commissioner be referred to this committee for review.

2. That the Legislative Assembly clarify the intended scope of the Languages Commissioner's authority to obtain documents and information from institutions of the Legislative Assembly and GNWT for the purpose of investigations.

3. That the Legislative Assembly clarify whether or not the Languages Commissioner should deal with complaints from employees about Official Languages policies, services and programs, and, if not, that the Legislative Assembly provide direction to GNWT as to how these complaints should be handled without the employees having fear of reprisal.

4. That the Legislative Assembly clarify whether or not the *Official Languages Act* is intended to allow employees to use any Official Language as a language of work, and that GNWT determine how many employees do not speak English or prefer to communicate in a language other than English, and that they develop policies required to accommodate employees who do not speak English.

5. That the Legislative Assembly consider the current GNWT practice of requiring boards, agencies and other institutions to report to the Languages Commissioner through the Deputy Minister responsible, and determine whether or not this is appropriate in all circumstances.

6. That the Legislative Assembly consider whether or not any provision should be made in the *Official Languages Act* for the travelling public, (i.e. people travelling outside the region where their language is spoken) and, if so, what provisions should be made.

7. That the Legislative Assembly clarify whether or not it was intended that obligations under the *Official Languages Act* should apply to groups and bodies providing a service or program to the public on behalf of GNWT or one of its institutions.

8. That GNWT clearly identify to which institutions of the GNWT and Legislative Assembly the *Official Languages Act* applies, and ensure that all of these institutions and the public are made aware of their obligations.

9. That GNWT determine all other Acts and Regulations, besides the *Official Languages Act*, relating to the status and use of Official Languages, and that they monitor any activities related to this legislation.

10. That GNWT, without delay, in consultation with the public, the Languages Commissioner and all departments and institutions, establish operational guidelines for the implementation of the *Official Languages Act*, especially for Section 14, and determine a process and timeframe for the drafting of policies and regulations for this Act. (This includes identifying existing guidelines that are in use, and collecting them into a public document along with new guidelines, policies and regulations.)

C. Recommendations Relating to Implementation of the *Official Languages Act* by Institutions of the Legislative Assembly and GNWT

11. That GNWT prepare and distribute, to employees and the public, information on the *Official Languages Act*, Official Languages initiatives and the Secretary of State funding agreements.

12. That GNWT more closely monitor the Secretary of State funding agreements to ensure that money allocated is spent and that excess funds are re-allocated early enough in the year to allow other projects to take advantage of these available funds.

13. That GNWT give clear direction to all departments and institutions about how to apply for funding under the Secretary of State agreements, and that they assist them in developing proposals that meet the required criteria.

14. That GNWT advise the public immediately of the coming into effect of new Sections of the *Official Languages Act* or of any Act or Regulation relating to the status and use of Official Languages, or any guidelines or policies related to their implementation.

15. That GNWT adopt a policy of "active offer" for the provision of language services by clearly identifying, through signs, pins/buttons, and public announcements, offices where services are available in languages other than English, as required by Section 14 of the *Official Languages Act*.

16. That GNWT develop a policy on the provision of interpreter/translator services to all departments and institutions, so that all employees know how

to make services to the public available in all offices at all times, either through employees of GNWT or through freelance I/T's, as required by Section 14 of the *Official Languages Act*. (This will require clearly identifying which office(s) will be responsible for maintaining and distributing information about freelance interpreter/translators who can be called when GNWT staff are not available, procedures and terms to be used in contracting for I/T services, reviewing and equalizing rates of pay for I/T's for all languages, and so on.)

17. That GNWT consider whether or not it is necessary to provide full simultaneous interpretation in the Legislative Assembly at all times and in all Official Languages, as currently available, or whether service in some languages can be made available on demand, with reasonable notice. (This decision will have to be made in consultation with MLA's. This is based upon many comments that the current interpreter/translator services in the Legislative Assembly do not make the best use of human resources and that interpreters are not available for other urgent assignments when needed.)

18. That GNWT avoid all delays in filling positions responsible for the delivery of Official Languages programs and services required under the *Official Languages Act*, and that if some delay is unavoidable, that an interim arrangement be made with the department or institution responsible, to ensure that the required language services are available at all times.

19. That GNWT clarify to departments, institutions and the public, which documents, forms, and other communications, including "instruments in writing directed to or intended for the notice of the public" as per Section 11 of the *Official Languages Act*, must be translated and into which Official Languages, and in what format (oral, audio-visual or written).

20. That a policy be developed on communicating information to the public using the media most appropriate for each Official Language group.

21. That GNWT consider setting up a 1-800 line for each Official Language, similar to the one existing for French, so that people can contact the GNWT or its institutions at any time using their Official Language.

22. That GNWT, in consultation with employees, the Unions representing employees, and the Languages Commissioner, reconsider their current policies of Bilingual Bonus and Language Allowance, and especially their plans for language fluency testing, to see if this funding would be better utilized instead for language training programs. (People already receiving the bonus could be offered courses in upgrading their fluency or literacy skills, or be taught how to teach language courses, or be involved as instructors.)

23. That GNWT ensure that all managers and employees are aware of the eligibility criteria for bilingual bonus, and ensure that all eligible employees are collecting it.

24. That GNWT ensure that more individuals who are unilingual in an Official Language other than English, or who are bilingual, are employed in the public service. This should be done by adding a language criterion to the Affirmative Action Policy (since these groups have been "traditionally disadvantaged" in employment), or by providing for hiring preference for these people in more jobs.

25. That GNWT determine what materials are available for adult literacy and fluency training for all Official Languages and that they collect and further develop these materials and make them readily available.

26. That GNWT establish more training programs for employees and members of the public who want to learn or teach Official Languages.

27. That GNWT continue to inform the public and its employees of the standardized writing systems for native languages, that they support further research in this area, and that support be developed through non-government bodies for the standardization initiative.

28. That GNWT research and document Dene syllabics for historical purposes and for use in translation for elders when it is specifically requested by them.

29. That GNWT conduct a thorough study of literacy and fluency for all Official Languages in the NWT.

30. That GNWT assist non-government organizations and groups, whenever possible, with developing and delivering services and programs to the public in Official Languages, both by assisting them with planning, interpreting/ translating or other such services, and by ensuring that all available funding is allocated for such community projects. . (Examples: phone companies, airlines, drug stores, small businesses, etc.)

D. Response to Recommendations - Follow Up

The Languages Commissioner requests that a response to the recommendations made in this report be received from GNWT before March 31st, 1994, so that the Annual Report for 1993-94 can take this response into consideration. Since this present report only accounts for activities up to March 31st, 1993, many things have changed in GNWT in 1993 that are not reported here. The Languages Commissioner is aware of some of these changes and will continue to try to meet with GNWT regularly to monitor any actions taken to rectify any of the problems raised in this report and to improve programs and services.

CHAPTER 8:
POSTSCRIPT - THE FUTURE

A. Future Directions

Since the Languages Commissioner was appointed as an ombudsman to resolve language problems and present a collective voice to the Legislature and government about language issues, many people have contacted this office for assistance. Hopefully, individuals, groups, organizations and communities, will, increasingly, use this avenue to make their concerns known to the government. The Languages Commissioner has attempted in this first year to meet with many people to solicit their input, and she encourages people and groups to invite her to meet with them to address these matters. We have a unique opportunity, through this office, to bring important concerns to the attention of government, and, hopefully, this report will contribute to the progress of all Official Language groups in the NWT.

It is hoped that, in future years, this report can focus more and more on the specific issues that are the priorities of the linguistic minorities in the NWT. Public input is the essential tool that will shape government programs and services now and for the future. Your comments and input are valuable.

Languages Commissioner's Objectives for 1993 -94

The following are the objectives for the Languages Commissioner's office for the next year.

- Meet with Members of the Legislative Assembly, groups, organizations, and individuals to inform them about the role of the Languages Commissioner.
- Distribute a public information package about the *Official Languages Act* and the role of the Languages Commissioner.
- Continue to gather data from the public and from GNWT employees about their awareness of and attitudes toward Official Languages.

- Continue to gather information on GNWT departmental policies, guidelines and practices regarding implementation of the *Official Languages Act*.

- Gather data on language programs, services and needs from all communities and from all GNWT departments.

- Meet with as many organizations and individuals as possible involved in language programs and services in order to become aware of what is available, and to discuss issues and needs related to Official Languages.

- Establish an advisory council for the Languages Commissioner.

- Continue to obtain legal opinions on the *Official Languages Act*.

- Continue negotiations with the GNWT in order to establish guidelines, policies and regulations for the *Official Languages Act*.

- Obtain materials and documents related to language issues, rights, planning strategies, services and programs, etc., from as many organizations and jurisdictions as possible.

- Respond to complaints and inquiries as required.

- Conduct investigations and assist with court challenges as required.

- Encourage voluntary activities in the non-government sector which enhance the use of Official Languages and develop better cross-cultural awareness.

- Continue to research government and non-government sources of funding for language initiatives and make this information available to interest groups.

B. Future of Languages

This report has provided some important information on the state of each Official Language in the NWT plus comments on the activities of the GNWT and the Languages Commissioner related to preserving, developing and enhancing all of these languages. It would appear that the Legislative Assembly has taken a very supportive step in declaring Official status for eight languages in the NWT, and many activities are currently underway to strengthen the status and use of these languages. The institutions of the

Legislative Assembly and GNWT deserve a lot of credit for the efforts made to date.

Many other parts of Canada and the world look at these advances enviously, and would like to establish similar support in their own regions and communities. But there are many hurdles in other parts of Canada, for example, in making Aboriginal Languages "Official". Although groups in other parts of the country might represent more individuals, they usually represent much smaller percentages of the regional population, and therefore, they have a harder time gathering enough support. This means that the NWT, for the most part, is leading the way in many of the advances to be made in establishing the meaning of "Official Languages" in Canada, especially for Aboriginal Languages, but also for French as an Official Language in a region where francophones are a small minority.

In order to accomplish this, the NWT has been particularly fortunate in receiving substantial funding from Secretary of State, and we hope that this support will be ongoing. If advances cannot be made for linguistic minorities in the NWT, given the current levels of funding and legislative support, then we must seriously consider whether or not our initiatives are made in earnest and are taking the right direction.

All of the Official Languages in the NWT, except English, are minority languages, and all of them are clearly demonstrating signs of stress and decline in the face of the dominance of English. The institutions of the Legislative Assembly and GNWT must make very conscious efforts to ensure that this situation does not worsen, and that minority languages are given genuine support at all levels of the administration, so that they are not only preserved, but so that they also develop and become enhanced through government initiatives. Speakers of these languages, too, must take the responsibility for the survival of their languages. Governments alone cannot save these languages.

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Sachs Harbour
Holman
Paulatuk
Tuktoyaktuk
Aklavik
Inuvik
Fort McPherson
Arctic Red River
Fort Good Hope
Norman Wells
Fort Norman
Deline
Colville Lake
Cambridge Bay
Coppermine
Bathurst Inlet
Wrigley
Fort Simpson
Nahanni Butte
Jean Marie River
Fort Liard
Trout Lake
Fort Providence
Kakisa
Rae Lakes
Snare Lake
Lac La Martre
Pine Point
Hay River
Fort Resolution
Fort Smith
Yellowknife
Rae-Edzo
Wekweti
Gameti
Whati
Baker Lake
Chesterfield Inlet
Rankin Inlet
Whale Cove
Arviat
Repulse Bay
Hall Beach
Igloolik
Pelly Bay
Gjoa Haven
Taloyoak
Spence Bay
Cape Dorset
Clyde River
Broughton Island
Pangnirtung
Iqaluit
Lake Harbour
Coral Harbour
Sanikiluaq
Inuinnaqtun
Inuktitut
Inuvialuktun
North Slavey
South Slavey
Gwich'in
Dogrib
Chipewyan
Cree
English is spoken in all communities; French is spoken mostly in Yellowknife, Iqaluit, Hay River and Fort Smith.

Glossary of Terminology

Ability to Speak Selected Languages
The ability to conduct a basic conversation in the language.

Core French
A program in which French is studied as a subject, usually a few hours a week, by students who are learning French as a second language. The instruction is usually in both English and French.

First Language
The language for which the person currently has the greatest oral fluency (and writing skills).

First Language Program
A program in which the students' first language is used as the language of instruction for at least two-thirds of the instruction time.

French Immersion
A language program in which French is used intensively as the language of instruction, but, in most grades, some portion of the day is usually taught in English. The students are learning French as a second language.

Home Language
The language spoken at home by the respondent. If more than one language is spoken, the respondent was asked to report only the language he or she speaks most often at home. Multiple responses were permitted for home language where the languages are used equally often.

Labor Force
Includes people, 15 years of age and over, who were either employed or unemployed but seeking work or expecting to work soon, during the week prior to the survey.

Linguistic Shift
The proportion of the population that no longer uses their mother tongue as the language spoken most often at home.

Mother Tongue
The first language learned in childhood and still understood. If a person learned more than one language at the same time, and still understands both, he or she was asked to report the language spoken most often at home. Multiple responses were permitted for mother tongue where the languages were used equally often.

Second Language Program
A program in which students are learning a language other than their first language. This second (or third, fourth ... language) is usually studied as a subject or is used as the language of instruction for part of the day. Core French and French Immersion programs are second language programs.

FORMATION OF AN ADVISORY COUNCIL FOR THE OFFICE OF THE LANGUAGES COMMISSIONER

The Languages Commissioner was appointed by the Legislative Assembly in December 1991 to deal with inquiries and complaints about the Official Languages of the NWT and the NWT *Official Languages Act*. The *Official Languages Act* applies to the Government of the NWT, the Legislative Assembly of the NWT, and all of their institutions.

Section 20(3) of the *Official Languages Act* requires the Languages Commissioner "... to meet not less than once a year with the representatives of such organizations as may be prescribed ... for the purposes of soliciting the advice of representatives of each Official Language". Since the Act does not name these organizations, and since there are still no regulations for this Act, it is not clear which organizations should be consulted.

The Languages Commissioner is proposing that the formation of an Advisory Council might fulfil this requirement for consultation. In establishing this Advisory Council, the following questions need to be addressed. We are asking for your input into this proposal. Below are some suggestions that you might consider, but we encourage you to contribute other ideas if you have any.

IS IT NECESSARY TO ESTABLISH A NEW COUNCIL, OR SHOULD SOME EXISTING GROUP SERVE IN THIS CAPACITY?

A number of bodies already exist that deal with language issues.

1. Should one or more of these bodies serve the function of an Advisory Council?
2. Should the chairpersons of a number of these bodies form an Advisory Council?
3. Should some existing committee of the Legislative Assembly be given an advisory role? (eg. Standing Committee on Legislation, etc.)

WHO WOULD THE MEMBERS OF THIS COUNCIL REPRESENT?

Should there be one representative:

1. for each language (Cree, Chipewyan, Dogrib, English, French, Gwich'in, Inuktitut, Inuvialuktun, Inuinnaqtun, North Slavey, South Slavey)?
2. for each region (Fort Smith, Baffin, Keewatin, Kitikmeot, Inuvik)?
3. for certain organizations (cultural institutes, divisional boards, regional councils, etc.)?
4. for elders, youth, women, unilinguals, bilinguals, etc.?

HOW MANY MEMBERS SHOULD THERE BE?

This will probably depend on who the members represent. For example, if there is one representative for each Official Language, there would be eleven members, if there is one representative per region, there would be five, etc.

HOW WOULD A COUNCIL BE CHOSEN?

There are a number of options here.

1. The members of this Advisory Council could be appointed by members of the Legislative Assembly.
2. Names could be submitted to the Languages Commissioner and she could choose the Council in consultation with members of the Legislative Assembly.
3. Some existing body in each region could call for nominations and then select the member for their region. (eg. regional councils, divisional boards of education, etc.)

WHAT WOULD BE THE ROLE OF THE ADVISORY COUNCIL?

There are a number of tasks that the Council could be responsible for:

1. Would the Advisory Council make recommendations to the Languages Commissioner?
2. Would the Council provide direction to and set objectives for the Languages Commissioner?
3. Would the Council deal with complaints and inquiries?

WHAT WOULD BE THE PROCESS FOR CONSULTATION?

In order to provide advice to the Languages Commissioner:

1. Would the Council meet altogether once or several times per year?
2. Would the Council members provide advice individually on a regular basis by phone, letter, individual meetings with the Commissioner?
3. Would the members meet on a regional basis? How often?

SHOULD THE ADVISORY COUNCIL MEMBERS BE PAID AN HONORARIUM?

1. If the Council were to meet at least once a year (or more), should the members receive an honorarium for meetings?
2. If the Council does not meet, but instead, if they provide advice on a regular basis, should they be paid something for their services?
3. How would these fees be calculated?

Appendix #4:

LANGUAGE AND PUBLIC SERVICE: GNWT EMPLOYEE SURVEY

This survey is being conducted by the Office of the NWT Languages Commissioner .

YOUR DEPARTMENT: _____
YOUR COMMUNITY: _____

1. If you wish to learn any of the official languages, which incentives do you prefer? (mark only two)

( ) **time off work to attend a language class on a regular basis**
( ) **time off work to attend an immersion course or a language camp for a few weeks**
( ) **cash payment such as bilingual bonus**
( ) **free tuition for the courses**
( ) **classes outside of working hours and being reimbursed for costs**

---

2. In your opinion, for the government to spend more money teaching official languages is: (mark only one)

( ) **a waste of money;**
( ) **necessary to improve public services**
( ) **an opportunity to improve your career.**
( ) **other** _____

---

3. Are you aware that the GNWT is committed to the preservation, development and enhancement of aboriginal languages? **YES / NO**

---

4. Do you communicate in any other language(s) besides English? **YES / NO**

If YES, please list them

	name of language	**understand**	**speak**	**write**	**read**
- **language #1**	_____	_____	_____	_____	_____
- **language #2**	_____	_____	_____	_____	_____
- **language #3**	_____	_____	_____	_____	_____

Where did you learn these languages?

language#1_____**language#2**_____**language#3**_____

Do you use any of these languages at work? **YES / NO**

If YES, is your language skill recognized in the public service in the following ways:

- part of the job description **YES / NO**
- receive bilingual bonus **YES / NO**
- permitted to take language courses when offered **YES / NO**

---

5. Do you think language courses should be mandatory for government employees who deal with the public?
YES / NO **Comments:**

---

6. What is your job title? _____

As far as your job is concerned, do you think that a knowledge of any official language is: (mark only one)

( ) **necessary** **Comments**
( ) **helpful or beneficial**
( ) **interesting**
( ) **not useful**
( ) **no opinion**

---

7. Would you like to learn or improve any of your skills in the official languages by a language course?
YES / NO

If yes, what language(s) would that be? _____

Why? - for personal interest **YES / NO**
- for better communication at work **YES / NO**

---

8. Do you sometimes use an interpreter at work to communicate with people? **YES / NO**

If YES, which language(s)? _____

---

9. Are you aware that the Territories is a distinct society within Canada as recognized by the NWT *Official Languages Act?* **YES / NO** **Comments**

---

10. In your opinion, what would discourage you from learning another language?

( ) **there aren't any materials**
( ) **don't have time**
( ) **can't afford it**
( ) **don't have a teacher/instructor**
( ) **think it is too hard to learn**
( ) **not interested**

---

11. There are eight official languages in the Northwest Territories. To the best of you knowledge, what are they? Please list only the ones you are aware of without consulting anyone else or the Act.

---

12. If you could learn to communicate in another language, would you enjoy living in the north better? (mark only one)

( ) **greatly**
( ) **somewhat**
( ) **probably not**
( ) **no difference**

---

13. Do you get enough information about the official languages from the government? (such as information about the availability of language services, types of programs, costs, benefits, etc.)
YES / NO **Comments**

---

14. Do you think that eight official languages should be promoted by vigorous government programs?
YES / NO **Comments**

---

15. Are you satisfied with the level of official languages besides English being used in the following areas:

- at home **YES / NO**
- at school **YES / NO**
- at public offices **YES / NO**
- in the private sector **YES / NO**

---

16. Are you aware that there is legal protection of languages in the NWT *Official Languages Act* to preserve the culture of the people? **YES / NO**

---

17. Is it necessary for government to safeguard languages to preserve northern culture? (mark only one)
YES / NO / MAYBE / DON'T KNOW

---

18. Do you support the idea of teaching official languages as a compulsory course at school?

- French **YES / NO / DEPENDS ON GRADE LEVEL**
- Aboriginal **YES / NO / DEPENDS ON GRADE LEVEL**

PLEASE PROVIDE ANY COMMENTS YOU MAY HAVE.